

**UNITED NATIONS**



**OFFICIAL RECORDS OF THE GENERAL ASSEMBLY**  
**FIFTEENTH SESSION**

**ANNEXES**  
**VOLUME I**

---

**20 SEPTEMBER — 20 DECEMBER**

**1960**

**AND 7 MARCH — 21 APRIL**

**1961**

**NEW YORK**

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## INTRODUCTORY NOTE

The *Official Records of the General Assembly* include the records of the meetings, the annexes to those records and the supplements. The annexes are printed in fascicles, by agenda item. The present volumes (I and II) contain the annex fascicles of the fifteenth session.

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Symbols of the United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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**Agenda item 3: Credentials of representatives to the fifteenth session of the General Assembly\***

(a) Appointment of the Credentials Committee;

(b) Report of the Credentials Committee

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**DOCUMENT A/4578**

**First report of the Credentials Committee**

[Original text: English]  
[17 November 1960]

1. At its 864th plenary meeting, on 20 September 1960, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed a Credentials Committee for its fifteenth session consisting of the following Member States: Costa Rica, Haiti, Morocco, New Zealand, the Philippines, Spain, the Union of Soviet Socialist Republics, the United Arab Republic and the United States of America.

2. At the same meeting, the General Assembly adopted resolution 1480 (XV) admitting the Republic of the Congo (Leopoldville) to membership in the United Nations. In view of the fact that the constitutional and political position in the Republic of the Congo remained far from clear and that the Assembly was faced with a difficulty in the implementation of this resolution, it was decided, on 20 September 1960, on the proposal of the President, to refer this question to the Credentials Committee.

3. The Credentials Committee held three meetings (36th to 38th meetings) on 9 and 10 November 1960. At the opening of the 36th meeting, the representatives of Morocco, the Union of Soviet Socialist Republics and the United Arab Republic objected to the exceptional urgency with which the Committee had been convened and stated that the Committee members lacked official United Nations documents concerning the credentials of delegations to the fifteenth session of the General Assembly. The representatives of Morocco and the United Arab Republic stated that they require time in which to

consult their Governments. In that connexion, the USSR delegation moved the adjournment of the meeting. The motion was rejected by 6 votes to 3. After a short recess, the representative of the United States proposed that the Committee elect its Chairman and then adjourn until the afternoon of the same day. The representative of the Secretary-General, as acting Chairman, suggested that the Committee first elect its Chairman and then take up the second part of the United States proposal.

4. Mr. Foss Shanahan (New Zealand) was unanimously elected Chairman of the Committee.

5. The representative of the Philippines supported the United States proposal that the Committee adjourn and reconvene in the afternoon of the same day. The representatives of Morocco and the United Arab Republic declared that they needed more time to consult their Governments and other African delegations, and the representative of Morocco proposed adjournment *sine die*. The USSR representative also spoke in favour of adjournment of the meeting *sine die*. The representative of Haiti suggested, as a compromise, that the Committee adjourn until the following morning. The representative of the United States agreed with this suggestion. The Chairman adjourned the meeting until the morning of 10 November.

6. At its 37th meeting, on 10 November 1960, the Committee, by 5 votes to 3, with 1 abstention, adopted a proposal of the United States that the Committee

should consider first the credentials of the representatives of the Republic of the Congo (Leopoldville). The Committee had before it a note by the Secretary-General (A/CR/L.3/Rev.1) which contained the text of communications pertaining to the credentials of representatives of the Republic of the Congo to the fifteenth session of the General Assembly. There were also available documents of the General Assembly issued under agenda item 85 on the situation in the Republic of the Congo, particularly documents A/4560, A/4561, A/4569 and A/L.319/Rev. 2. Questions were raised by certain delegations as to the completeness of the documents distributed to them on the question of the credentials of the representatives of the Republic of the Congo. It was pointed out in particular that certain documents in connexion with the representation in the Security Council were not before the Committee. The representative of the Secretary-General stated that document A/CR/L.3/Rev. 1 contained all communications which had not been previously circulated and that all other documents were already available to the delegations. However, he would have sets of these documents collected for the members of the Committee. The Chairman also asked that a search be made again before the next meeting to check the position. (Following the convening of the 38th meeting of the Committee on 10 November, the representative of the Secretary-General confirmed that all documents relating to the General Assembly had been distributed to the members of the Committee.) The Chairman ruled that the only documents before the Committee were those which were relevant to the Credentials Committee of the General Assembly and that documents concerned with credentials for any other body, including, for example, the Security Council, were not before the Committee and would not be in order at its meetings. The Chairman pointed out that the principal document for consideration by the Committee was the first letter in document A/CR/L.3/Rev. 1, being a communication from the President of the Republic of the Congo (Leopoldville), Mr. Joseph Kasa-Vubu, and the Minister for Foreign Affairs, Mr. Justin Bomboko, and that the other communications, included in this document, were merely illustrative.

7. The United States submitted the following draft resolution (A/CR/L.4):

"The Credentials Committee recommends that the General Assembly accept the credentials of the representatives of the Republic of the Congo (Leopoldville) issued by the Head of the State and communicated by him to the President of the General Assembly in a letter dated 8 November 1960."

8. Among arguments advanced by the representatives of Costa Rica, Haiti, New Zealand, the Philippines, Spain and the United States of America who supported this draft resolution were that the General Assembly had specifically referred to the Committee the question of the credentials of the Republic of the Congo (Leopoldville). It was noted that the latest credentials dated 8 November 1960 bore the signature of Joseph Kasa-Vubu, President of the Republic, who was undeniably the Chief of State of the Republic of the Congo (Leopoldville) and that rule 27 of the rules of procedure provided that credentials "shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs". It was considered that it would be an intervention in the domestic affairs of the Republic of the Congo to question the validity of a document issued by the Chief of State. It was pointed out that

President Kasa-Vubu had been heard as Chief of State by the General Assembly without objection at its 912th plenary meeting, and that he had requested that the credentials of the delegation of which he was the Chairman be approved without delay. It was also argued that it was the duty of the Credentials Committee to pass only on the legal questions concerning the validity of the credentials before it and that political or other considerations should be left to the General Assembly. The representatives concerned believed that the Committee should perform this limited function in a normal way. It was also contended that it was the duty of the Committee under rule 28 of the rules of procedure to examine any credentials presented to it and to report without delay, that the Republic of the Congo should be represented in the General Assembly immediately, and that this was the right of any Member.

9. The representatives of Morocco, the Union of Soviet Socialist Republics and the United Arab Republic were opposed to the consideration of the United States draft resolution. They pointed out that the Credentials Committee normally met towards the end of the session of the General Assembly. Moreover, they pointed out, the decision taken by the General Assembly at its 913th plenary meeting to adjourn discussion of item 85 (The situation in the Republic of the Congo) precluded consideration of the credentials of the representatives of the Republic of the Congo (Leopoldville) by the Credentials Committee at this time. No decision, they considered, should be taken which would affect the work of the Conciliation Commission that was about to depart for the Republic of the Congo. They contended that a decision at this time would serve no purpose, since the problem must be solved in the Congo itself. They urged the Committee not to take any action which would exacerbate the already grave situation or would create new tension. They pointed out that the question involved political decisions which could not be hastily made and that the Committee must avoid taking sides on questions involving the internal political affairs of the Congo. They contended that the documentation was incomplete, since there was another delegation from the Republic of the Congo whose credentials the Committee should examine.

10. The representative of the Soviet Union observed that the credentials referred to in the United States draft resolution were illegal because they had not been drawn up in accordance with the *Loi fondamentale* of the Republic of the Congo (Leopoldville): there had been no approval by the Chambers of the Parliament and the person who had countersigned Mr. Kasa-Vubu's signature was not a Minister of the legal Government of the Republic of the Congo. Moreover, one of the members of the delegation, who had been appointed by Mr. Kasa-Vubu, had, according to press reports, refused to participate in that delegation. References were made to cables from the Presidents of the Chambers of the Parliament of the Republic of the Congo (A/4561) in which it was stated that Mr. Kasa-Vubu's departure from the Republic of the Congo without prior authorization of the Parliament and the consent of the Council of Ministers was in contradiction with the constitutional rules, especially article 19 of the *Loi fondamentale* of the Republic of the Congo, and with custom. The USSR representative observed in particular that the demand by the United States for speedy acceptance of the credentials of persons, who had arrived in New York when the General Assembly had

suspended its examination of the question of the situation in the Republic of the Congo, testified to a desire to impose upon the General Assembly a decision of the question which was so one-sided that it would but aggravate the situation in the Congo and would undermine the work of the Conciliation Commission composed of African and Asian countries.

11. At the 37th and 38th meetings, the representative of the United Arab Republic presented motions for the adjournment of the debate under rule 117 of the rules of procedure of the General Assembly. Each of these motions was rejected by 5 votes to 3, with 1 abstention. The representative of Morocco suggested that the Committee should ask the General Assembly whether, in the light of its decision at its 913th plenary meeting, the Credentials Committee should consider the credentials of the Republic of the Congo at this time.

After a statement by the Chairman who pointed out that this question was to the same effect as that already raised by the United Arab Republic, a vote on this point was not requested.

12. The representatives of Morocco and the United Arab Republic stated that they were unable to participate in the vote on the United States draft resolution. The United States draft resolution was adopted by a vote of 6 to 1.

### ***Recommendation of the Credentials Committee***

13. The Credentials Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

## **DOCUMENT A/4743**

### **Second report of the Credentials Committee**

*[Original text: English]  
[20 April 1961]*

1. The Credentials Committee, appointed by the General Assembly at its 864th plenary meeting, on 20 September 1960, reconvened on 20 April 1961.

2. The representatives of the following Member States on the Committee participated in the meeting: Costa Rica, Haiti, Morocco, New Zealand, the Philippines, Spain, the Union of Soviet Socialist Republics, the United Arab Republic and the United States of America.

3. The Chairman drew the attention of the Committee to the memorandum by the Secretary-General on the status of credentials of representatives to the fifteenth session of the General Assembly, according to which the credentials of some representatives did not conform to rule 27 of the rules of procedure of the General Assembly in that they had not been issued by the Head of the State or Government or by the Minister for Foreign Affairs. The Secretary-General also noted that, in some instances, the credentials, while emanating from the proper authority, had been submitted in the form of a cable and thus did not conform to the established practice according to which, with the exception of emergency special sessions, they should be drawn up in the form of a written document bearing the signature of the issuing authority. Nevertheless, taking into account the fact that the length of the session had compelled many Governments to make changes in the original compositions of their delegations, which, in some instances might have caused a difficulty in submitting in time the proper credentials, and bearing in mind the imminence of the closing date of the session, the Chairman proposed that, as an exceptional measure, the Committee might find these credentials in order.

4. The Chairman also proposed that, to ensure orderly procedure in the future, the Committee might wish to recommend that the General Assembly call the attention of Member States to the necessity of complying with the requirement of rule 27 of the rules of procedure of the General Assembly. A draft resolution to that effect might be submitted for the consideration of the General Assembly and, if approved, could be communicated to all Member States.

5. Both proposals were adopted unanimously.

6. The representative of the Union of Soviet Socialist Republics introduced a draft resolution providing that the Committee decide to regard as invalid the credentials to the fifteenth session of the General Assembly of the United Nations of persons describing themselves as representatives of the Government of the Republic of China, in view of the fact that those credentials are inconsistent with the provisions of rule 27 of the rules of procedure of the General Assembly". He stated that the continued refusal to allow the rightful representatives of a great Power such as the People's Republic of China to participate in the work of the United Nations was damaging to the Organization in that it reduced its sphere of action and prevented the proper consideration of international questions which required the co-operation of all States.

7. The Chairman, basing himself on resolution 1493 (XV), adopted by the General Assembly at its 895th plenary meeting, on 8 October 1960, and on the established precedents in the Credentials Committee, ruled that the USSR draft resolution was out of order, since the General Assembly had already taken a decision on the matter.

8. The representative of the USSR, in challenging the ruling of the Chairman, stated that the resolution adopted by the General Assembly at the present session related to an entirely different question, namely, the inclusion of an item in the agenda, and that now the Committee was discussing the subject of credentials and was perfectly entitled to take a decision on the matter.

9. The Chairman's ruling was upheld by 5 votes to 3.

10. The representative of the United States of America introduced a motion that the Committee "take no decision concerning the credentials submitted on behalf of the representatives of Hungary". He recalled that the report of the United Nations Representative on Hungary (A/4606)<sup>1</sup> showed conclusively the continued disregard by the Hungarian authorities of resolutions passed by an overwhelming majority in the General Assembly. The representative of the United

<sup>1</sup> See annex fascicle relating to agenda item 81.

States further stated that, at every session since 1956, the General Assembly had refused to accept the credentials of the representatives of the present Hungarian régime by taking no decision on them. Since the present régime continued to disregard the resolutions of the General Assembly, the Committee should adopt the same attitude.

11. The representative of the USSR stated that his delegation strongly objected to the further attempts that were being made to question the credentials of the representatives of the Government of the Hungarian People's Republic, the only legitimate Government which had been established in accordance with the Hungarian Constitution and which enjoyed the support of the people. He added that the adoption of the United States proposal would constitute an interference in the internal affairs of a sovereign State in violation of the provisions of Article 2 of the Charter. The Soviet delegation, therefore, proposed that those credentials, submitted in due form in accordance with the Charter and with the rules of procedure, should be approved.

12. The United States motion was adopted by 5 votes to 3.

13. The representative of the United Arab Republic stated, in explanation of his delegation's vote, that he voted against the Chairman's ruling on the USSR draft resolution concerning the credentials of China, because the United Arab Republic recognized the Central People's Government of China as the only Government that could rightfully represent the Chinese people. He voted against the motion of the United States, since his delegation considered the credentials of the representatives of Hungary as perfectly in order.

14. The representative of Morocco, explaining his vote, stated that Morocco recognized the People's Republic of China. The absence of representatives of its Government in the United Nations had led to an abnormal and artificial situation that was not conducive to international peace. As regards Hungary, he stated that the situation in that country had been restored to normal and that the Government was exercising its functions in accordance with generally accepted rules. He, therefore, voted against the ruling of the Chairman

concerning the credentials of China and against the motion of the United States concerning Hungary.

15. The representatives of Haiti and the Philippines, in explanation of their votes, stated that their countries did not maintain diplomatic relations with either the People's Republic of China or the Hungarian People's Republic. Accordingly, they voted to uphold the Chairman's ruling on the USSR draft resolution on the credentials of representatives of China and for the motion of the United States regarding the credentials of the representatives of Hungary.

16. The representative of the USSR stated that his Government did not recognize as valid the credentials of the representatives of Laos and of the Republic of the Congo (Leopoldville), since they had not been issued by the legitimate Governments of those States.

17. The Chairman pointed out that the credentials of the Republic of the Congo (Leopoldville) had already been reported on by the Credentials Committee (see A/4578 above) and had been approved by the General Assembly. Consequently, the Committee was not seized of the question now and discussion of the question was not in order.

18. The representative of the United States pointed out that the present Government of the Kingdom of Laos had been given a unanimous vote of confidence by the National Assembly in January 1961 and, therefore, there could be no question concerning the legitimacy of that Government.

19. A proposal was submitted by the Chairman that, subject to the decision relating to Hungary, the Credentials Committee find the credentials of all representatives in order and recommend that the General Assembly approve its report.

20. This proposal was adopted unanimously.

### **Recommendation of the Credentials Committee**

21. The Credentials Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

## **DOCUMENT A/CR/L.3/REV.1**

### **Credentials of representatives of the Republic of the Congo (Leopoldville) to the fifteenth session of the General Assembly**

#### **Note by the Secretary-General**

*[Original text: French]  
[10 November 1960]*

1. LETTER DATED 8 NOVEMBER 1960 FROM THE PRESIDENT OF THE REPUBLIC OF THE CONGO (LEOPOLDVILLE) AND THE MINISTER FOR FOREIGN AFFAIRS ADDRESSED TO THE PRESIDENT OF THE GENERAL ASSEMBLY

I have the honor to inform you herewith of the membership of the delegation of the Republic of the Congo (Leopoldville) for the present session of the General Assembly:

Mr. Joseph Kasa-Vubu, President of the Republic of the Congo;

Mr. Justin Bomboko, National Deputy, Minister for Foreign Affairs;

Mr. Evariste Kimba, Senator, Provincial Minister of Katanga;

Mr. Cyrille Adoula, Senator;

Mr. Samuel Badibanga, National Deputy;

Mr. Gervais Bahizi, Provincial Deputy of Kivu;

Mr. Mario Cardoso, Adviser;

Mr. Evariste Loliki, Adviser.

*(Signed) Justin BOMBOKO  
Minister for Foreign Affairs*

*(Signed) Joseph KASA-VUBU  
President of the Republic of the Congo*

2. LETTER DATED 1 NOVEMBER 1960 FROM THE CHAIRMAN OF THE DELEGATION ADDRESSED TO THE PRESIDENT OF THE GENERAL ASSEMBLY

We have the honour to confirm the letters of accreditation sent to you on 21 and 27 October 1960 by His Excellency Mr. Kasa-Vubu, the President of the Republic of the Congo, giving you the list of members of our delegation to the United Nations.

On 25 October 1960, Mr. Gervais Bahizi, Deputy, attached to our Ministry of Foreign Affairs, was appointed a member of our delegation for the purpose of carrying out a diplomatic mission to the United Nations.

As of today's date, therefore, the membership of our delegation is as follows:

Mr. Cyrille Adoula,  
Mr. Samuel Badibanga,  
Mr. Gervais Bahizi,  
Mr. Mario Cardoso,  
Mr. Evariste Loliki.

We ask you to be so kind as to receive them favourably.

(Signed) C. ADOULA  
*Chairman of the delegation*

3. LETTER DATED 27 OCTOBER 1960 FROM THE PRESIDENT OF THE REPUBLIC OF THE CONGO (LEOPOLDVILLE) ADDRESSED TO THE PRESIDENT OF THE GENERAL ASSEMBLY

With reference to our letter of 21 October 1960, we have the honour to inform you that we have appointed Mr. Evariste Loliki as an additional member of the delegation of the Republic of the Congo to the United Nations. Mr. Cyrille Adoula, Senator, will serve as the acting chairman of the delegation in the absence of Mr. Bomboko. The vice-chairman is Mr. Cardoso.

We ask you to be so kind as to receive Mr. Loliki favourably.

(Signed) Joseph KASA-VUBU  
*President of the Republic of the Congo*

4. LETTER DATED 21 OCTOBER 1960 FROM THE PRESIDENT OF THE REPUBLIC OF THE CONGO (LEOPOLDVILLE) ADDRESSED TO THE PRESIDENT OF THE GENERAL ASSEMBLY

We have the honour to refer to our letter of 21 September 1960<sup>2</sup> by virtue of which Mr. Justin Bomboko was accredited as representative of the Republic of the Congo to the United Nations General Assembly.

As Mr. Bomboko, who continues to be the chairman of the delegation, is temporarily detained at Leopoldville, we have appointed Mr. Cyrille Adoula, Senator, to replace him in his absence. Mr. Adoula is accompanied by Mr. Mario Cardoso to provide for any possible absence of Mr. Adoula. Mr. Cardoso would then replace Mr. Bomboko.

We ask you to be so kind as to receive Mr. Adoula and Mr. Cardoso favourably.

(Signed) Joseph KASA-VUBU  
*President of the Republic of the Congo*

<sup>2</sup> This is apparently a reference to the sixth communication reproduced below which was transmitted in a telegram from the Special Representative of the Secretary-General in the Congo.

5. LETTER DATED 21 SEPTEMBER 1960 FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF THE CONGO (LEOPOLDVILLE) ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that I shall represent the Republic of the Congo at the United Nations during the fifteenth session of the General Assembly.

My delegation is composed of Mr. Badibanga and Mr. Fele, who will assist me in the capacity of representatives.

(Signed) J. BOMBOKO  
*Minister for Foreign Affairs  
of the Republic of the Congo (Leopoldville)*

6. COMMUNICATION DATED 21 SEPTEMBER 1960 FROM THE PRESIDENT OF THE REPUBLIC OF THE CONGO (LEOPOLDVILLE) ADDRESSED TO THE PRESIDENT OF THE GENERAL ASSEMBLY (TRANSMITTED BY TELEGRAM FROM LEOPOLDVILLE BY THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL IN THE CONGO)<sup>3</sup>

We have the honour (1) to express our warmest congratulations on your election as President General Assembly United Nations, (2) to express our heartfelt thanks on behalf Congolese people and our own behalf to General Assembly for unanimous admission Republic of the Congo into the great family of the United Nations, (3) to inform you that we accredit Mr. Justin Bomboko Minister Foreign Affairs as sole official representative of the Republic of the Congo to the United Nations. Delegation headed by Mr. Bomboko also includes Mr. Fele Senator and Mr. Badibanga Deputy. Letters of accreditation follow.

(Signed) Joseph KASA-VUBU  
*President Republic of the Congo*

7. TELEGRAM DATED 20 SEPTEMBER 1960 FROM THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL IN THE CONGO ADDRESSED TO THE SECRETARY-GENERAL, AND REPRODUCING THE TEXT OF A TELEGRAM FROM THE PRESIDENT OF THE CONGO (LEOPOLDVILLE) ADDRESSED TO MR. BOMBOKO

Following telegram received at 1300 hours for information:

"Minister Bomboko, United Nations, New York, copy for information to the Special Representative of the Secretary-General of the United Nations at Leopoldville.

"We have honour to accredit you as chairman delegation Republic of the Congo to United Nations General Assembly for present session. Delegation also comprises Minister Thomas Kanza, Senator Fele and Deputy Badibanga.

"(Signed) Joseph KASA-VUBU  
*President of the Republic of the Congo*"

8. LETTER DATED 18 SEPTEMBER 1960 FROM THE MINISTER FOR FOREIGN AFFAIRS ADDRESSED TO THE CHIEF OF PROTOCOL OF THE UNITED NATIONS

The present membership of the Congolese delegation is as follows:

1. Justin Bomboko, Minister for Foreign Affairs, Chairman of the delegation;

<sup>3</sup> The same text was also received in a copy of a telegram addressed to Mr. Bomboko.

2. Josias Fele, Senator, member of the delegation;
3. Samuel Badibanga, Deputy, member of the delegation;

4. Louis Ilufa, Officer attached to the office of the Minister for Foreign Affairs, Secretary of the delegation.  
(Signed) Justin BOMBOKO  
Minister for Foreign Affairs

#### DOCUMENT A/L.322

##### Guinea: amendment to the draft resolution submitted by the Credentials Committee (A/4578, para. 13)

[Original text: French]  
[18 November 1960]

Replace the operative part of the draft resolution by the following:

"Decides to defer acceptance of the credentials of the representatives of the Republic of the Congo (Leopoldville)."

#### DOCUMENT A/L.322/Rev.1

##### Guinea: revised amendment to the draft resolution submitted by the Credentials Committee (A/4578, para. 13)

[Original text: French]  
[21 November 1960]

Replace the operative part of the draft resolution by the following:

"Agrees to defer its decision on the credentials of the representatives of the Republic of the Congo (Leopoldville)."

#### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 924th plenary meeting, on 22 November 1960, the General Assembly adopted the draft resolution submitted by the Credentials Committee (A/4578, para. 13). For the final text, see resolution 1498 (XV) below.

At its 995th plenary meeting, on 21 April 1961, the General Assembly adopted the draft resolution submitted by the Credentials Committee (A/4743, para. 21). For the final text, see resolution 1618 (XV) below.

#### Resolutions adopted by the General Assembly

##### 1498 (XV). CREDENTIALS OF THE REPRESENTATIVES OF THE REPUBLIC OF THE CONGO (LEOPOLDVILLE)

###### *The General Assembly*

*Accepts* the credentials of the representatives of the Republic of the Congo (Leopoldville) issued by the Head of the State and communicated by him to the President of the General Assembly in a letter dated 8 November 1960 (A/CR/L.3/Rev.1, section 1).

924th plenary meeting,  
22 November 1960.

##### 1618 (XV). CREDENTIALS OF THE REPRESENTATIVES TO THE FIFTEENTH SESSION OF THE GENERAL ASSEMBLY

###### *The General Assembly*

1. *Approves* the report of the Credentials Committee (A/4743);
2. *Calls the attention* of Member States to the necessity of complying with the requirements of rule 27 of the rules of procedure of the General Assembly which provides:

"The credentials of representatives and the names of members of a delegation shall be submitted to the Secretary-General if possible not less than one week before the date fixed for the opening of the session. The credentials shall be issued either by the Head of the State or Government or by the Minister of Foreign Affairs."

995th plenary meeting,  
21 April 1961.

## CHECK LIST OF DOCUMENTS

*Note.* This check list includes all the documents mentioned during the consideration of agenda item 3 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4557 and Add.1	Second progress report to the Secretary-General from his Special Representative in the Congo and exchange of messages between the Secretary-General and the representative of Belgium, and between the Secretary-General and the President of the provincial government of Katanga.	<i>Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 85</i>
A/4560	Exchange of messages between the President of the Republic of the Congo (Leopoldville) and the President of the General Assembly	<i>Ibid.</i>
A/4561	<i>Note verbale</i> dated 7 November 1960 from the representative of Ghana to the Secretary-General	<i>Ibid.</i>
A/4569	Letter dated 9 November 1960 from the President of the Republic of the Congo (Leopoldville) to the Secretary-General	<i>Ibid.</i>
A/4571	Letter dated 11 November 1960 from Mr. P. E. Lumumba, Prime Minister of the Republic of the Congo (Leopoldville), to the President of the General Assembly	<i>Ibid.</i>
A/4583	Letter dated 21 November 1960 from the representative of Guinea to the Secretary-General	<i>Ibid.</i>
A/C.5/837	<i>Note verbale</i> dated 26 October 1960 from the representative of the Union of Soviet Socialist Republics to the Secretary-General	See <i>Official Records of the General Assembly, Fifteenth Session, Plenary Meetings, 924th meeting, para. 105</i>
A/L.292/Rev.1	Ceylon, Ethiopia, Ghana, Guinea, Indonesia, Iraq, Jordan, Lebanon, Liberia, Libya, Morocco, Nepal, Saudi Arabia, Sudan, Tunisia, United Arab Republic and Yemen: draft resolution	<i>Official Records of the General Assembly, Fourth Emergency Special Session, Annexes, agenda item 6</i>
A/L.319/Rev.2	Ceylon, Ghana, Guinea, India, Indonesia, Mali, Morocco and United Arab Republic: draft resolution	<i>Ibid., Fifteenth Session, Annexes, agenda item 85</i>



**Agenda item 7: Notification by the Secretary-General under Article 12, paragraph 2, of the Charter\***

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Plenary Meetings*, 898th meeting.

**DOCUMENT A/4493**

**Letter dated 15 September 1960 from the Secretary-General to the President of the General Assembly**

[*Original text: English*]  
[16 September 1960]

In accordance with the provisions of Article 12, paragraph 2, of the Charter of the United Nations, and with the consent of the Security Council, I have the honour to send you herewith a notification to the General Assembly, listing matters relative to the maintenance of international peace and security which are being dealt with by the Security Council.

(Signed) Dag HAMMARSKJÖLD  
*Secretary-General*

**NOTIFICATION BY THE SECRETARY-GENERAL UNDER  
ARTICLE 12, PARAGRAPH 2, OF THE CHARTER**

In accordance with the provisions of Article 12, paragraph 2, of the Charter and with the consent of the Security Council, I have the honour to notify the General Assembly of matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and also of matters with which the Security Council has ceased to deal.

The matters relative to the maintenance of international peace and security which have been discussed during the period since my notification to the last session (A/4216) are as follows:

1. Letter dated 25 March 1960 from the representatives of Afghanistan, Burma, Cambodia, Ceylon, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Philippines, Saudi Arabia, Sudan, Thailand, Tunisia, Turkey, United Arab Republic and Yemen addressed to the President of the Security Council.
2. Telegram dated 18 May 1960 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the President of the Security Council.

3. Letter dated 23 May 1960 from the representatives of Argentina, Ceylon, Ecuador and Tunisia addressed to the President of the Security Council.
4. Letter dated 15 June 1960 from the representative of Argentina addressed to the President of the Security Council.
5. Letter dated 13 July 1960 from the Secretary-General of the United Nations addressed to the President of the Security Council.
6. Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council.
7. Letter dated 13 July 1960 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the Secretary-General.

At the 883rd meeting of the Security Council on 26 July 1960, the President stated that the Council had concluded its consideration of this item.

8. Letter dated 5 September 1960 from the First Deputy Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the President of the Security Council.

At the 895th meeting of the Security Council on 9 September 1960, the President stated that the Council had disposed of the matter.

During this period, the Security Council has not discussed the following matters of which it remains seized:

1. The Iranian question.
2. Special agreements under Article 43 of the Charter and the organization of the armed forces to be made available to the Security Council.
3. The general regulation and reduction of armaments and information on the armed forces of the United Nations.

4. Appointment of a Governor for the Free Territory of Trieste.
5. The Egyptian question.
6. The Indonesian question.
7. The Palestine question.
8. The India-Pakistan question.
9. The Czechoslovak question.
10. The question of the Free Territory of Trieste.
11. The Hyderabad question.
12. Identic notifications dated 29 September 1948 from the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the Secretary-General.
13. International control of atomic energy.
14. Complaint of armed invasion of Taiwan (Formosa).
15. Complaint of bombing by air forces of the territory of China.
16. Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company case.
17. Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons.
18. Question of a request for investigation of alleged bacterial warfare.
19. Letter dated 29 May 1954 from the representative of Thailand to the United Nations addressed to the President of the Security Council.
20. Telegram dated 19 June 1954 from the Minister of External Relations of Guatemala addressed to the President of the Security Council.
21. Letter dated 8 September 1954 from the representative of the United States of America addressed to the President of the Security Council.
22. Letter dated 28 January 1955 from the representative of New Zealand addressed to the President of the Security Council concerning the question of hostilities in the area of certain islands off the coast of the mainland of China.  
Letter dated 30 January 1955 from the representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council concerning the question of acts of aggression by the United States of America against the People's Republic of China in the area of Taiwan (Formosa) and other islands of China.
23. Situation created by the unilateral action of the Egyptian Government in bringing to an end the system of international operation of the Suez Canal, which was confirmed and completed by the Suez Canal Convention of 1888.
24. Actions against Egypt by some Powers, particularly France and the United Kingdom of Great Britain and Northern Ireland, which constitute a danger to international peace and security and are serious violations of the Charter of the United Nations.
25. The situation in Hungary.
26. Military assistance rendered by the Egyptian Government to the rebels in Algeria.
27. Letter dated 30 October 1956 from the representative of Egypt addressed to the President of the Security Council.
28. Letter dated 13 February 1958 from the permanent representative of Tunisia to the President of the Security Council concerning: "Complaint by Tunisia in respect of an act of aggression committed against it by France on 8 February 1958 at Sakiet-Sidi-Youssef".
29. Letter dated 14 February 1958 from the representative of France to the President of the Security Council concerning: "Situation resulting from the aid furnished by Tunisia to rebels enabling them to conduct operations from Tunisian territory directed against the integrity of French territory and the safety of persons and property of French nationals".
30. Letter dated 20 February 1958 from the representative of Sudan addressed to the Secretary-General.
31. Complaint of the representative of the Union of Soviet Socialist Republics in a letter to the President of the Security Council dated 18 April 1958 entitled: "Urgent measures to put an end to flights by United States military aircraft armed with atomic and hydrogen bombs in the direction of the frontiers of the Soviet Union".
32. Letter dated 29 May 1958 from the representative of Tunisia to the President of the Security Council concerning: "Complaint by Tunisia in respect of acts of armed aggression committed against it since 19 May 1958 by the French military forces stationed in its territory and in Algeria".
33. Letter dated 29 May 1958 from the representative of France to the President of the Security Council concerning: (a) "The complaint brought by France against Tunisia on 14 February 1958"; and (b) "The situation arising out of the disruption, by Tunisia, of the *modus vivendi* which had been established since February 1958 with regard to the stationing of French troops at certain points in Tunisian territory".
34. Letter dated 17 July 1958 from the representative of Jordan addressed to the President of the Security Council concerning: "Complaint by the Hashemite Kingdom of Jordan of interference in its domestic affairs by the United Arab Republic".
35. Report by the Secretary-General on the letter received from the Minister for Foreign Affairs of the Royal Government of Laos, transmitted by a note from the Permanent Mission of Laos to the United Nations, 4 September 1959.

#### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 898th plenary meeting on 10 October 1960, the General Assembly took note of the Secretary-General's communication (A/4493).

**CHECK LIST OF DOCUMENTS**

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 7 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4216	Letter dated 14 September 1959 from the Secretary-General to the President of the General Assembly	<i>Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 7</i>



**Agenda item 8: Adoption of the agenda\***

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A/4420	Provisional agenda of the fifteenth session . . . . .	1
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A/4474	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the fifteenth session . . . . .	4
A/BUR/152 and Add.1 and 2	Adoption of the agenda and allocation of items: memorandum by the Secretary-General . . . . .	5
A/BUR/153 and Add.1	Organization of the fifteenth session of the General Assembly: memorandum by the Secretary-General . . . . .	10
A/4520	First report of the General Committee . . . . .	11
A/4549	Second report of the General Committee . . . . .	14
A/4616	Bolivia, Costa Rica and United Kingdom of Great Britain and Northern Ireland: request for the inclusion of an additional item in the agenda of the fifteenth session . . . . .	14
A/4634	Third report of the General Committee . . . . .	15
A/4714	Fourth report of the General Committee . . . . .	16
A/L.311	Union of Soviet Socialist Republics: draft resolution . . . . .	16
A/L.312	Union of Soviet Socialist Republics: draft resolution . . . . .	17
A/L.312/Rev.1	Union of Soviet Socialist Republics: amendment to the recommendation of the General Committee (A/4520, para. 18) . . . . .	17
A/L.313	Union of Soviet Socialist Republics: draft resolution . . . . .	17
A/L.313/Rev.1	Union of Soviet Socialist Republics: amendment to the recommendation of the General Committee (A/4520, para. 18) . . . . .	17
A/L.314	Nepal: amendments to the draft resolution submitted by the General Committee (A/4520, para. 10) . . . . .	18
A/L.315	Guinea: amendment to the draft resolution submitted by the General Committee (A/4520, para. 10) . . . . .	18
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A/L.321	Cuba: amendment to the recommendation of the General Committee (A/4549, para. 3) . . . . .	18
A/L.329	Bulgaria: amendment to the recommendation of the General Committee (A/4634, para. 7) . . . . .	18
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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, General Committee*, 127th to 134th meetings; and *ibid.*, *Plenary Meetings*, 881st, 884th, 891st, 894th, 895th, 898th, 900th, 902nd to 904th, 909th, 910th, 948th, and 966th meetings.

**DOCUMENT A/4420**

**Provisional agenda of the fifteenth session**

[Original text: English]  
[22 July 1960]

- Opening of the session by the Chairman of the delegation of Peru.
- Minute of silent prayer or meditation.
- Credentials of representatives to the fifteenth session of the General Assembly:
  - Appointment of the Credentials Committee;
  - Report of the Credentials Committee.
- Election of the President.
- Constitution of the Main Committees and election of officers.
- Election of Vice-Presidents.
- Notification by the Secretary-General under Article 12, paragraph 2, of the Charter.
- Adoption of the agenda.
- Opening of the general debate.
- Report of the Secretary-General on the work of the Organization.
- Report of the Security Council.
- Report of the Economic and Social Council.
- Report of the Trusteeship Council.

14. Report of the International Atomic Energy Agency.
15. Election of three non-permanent members of the Security Council.
16. Election of six members of the Economic and Social Council.
17. Election of members of the International Court of Justice:
  - (a) Election of five members of the Court;
  - (b) Election of a member of the Court to fill the vacancy caused by the death of Sir Hersch Lauterpacht.
18. Appointment of the members of the Peace Observation Commission.
19. Election of the United Nations High Commissioner for Refugees [decision of the General Assembly of 14 November 1958; see A/3987].
20. Admission of new Members to the United Nations.
21. The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea [resolution 1455 (XIV) of 9 December 1959].
22. Report of the Committee on the Peaceful Uses of Outer Space [resolution 1472 A (XIV) of 12 December 1959].
23. Question of an increase in the membership of the Security Council and of the Economic and Social Council [resolution 1404 (XIV) of 25 November 1959].
24. Report of the United Nations Scientific Committee on the Effects of Atomic Radiation [resolution 1376 (XIV) of 17 November 1959].
25. Final report of the Secretary-General evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future [resolution 1344 (XIII) of 13 December 1958].
26. Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East [resolution 302 (IV) of 8 December 1949].
27. United Nations Emergency Force:
  - (a) Cost estimates for the maintenance of the Force;
  - (b) Progress report on the Force.
28. Progress and operations of the Special Fund [resolution 1240 (XIII) of 14 October 1958, part B, para. 10].
29. Economic development of under-developed countries:
  - (a) International flow of private capital: report of the Secretary-General and recommendations thereon by the Economic and Social Council [resolution 1318 (XIII) of 12 December 1958];
  - (b) Question of the establishment of a United Nations capital development fund: report of the Secretary-General [resolution 1424 (XIV) of 5 December 1959];
  - (c) Methods and techniques for carrying out a study of world economic development: report of the Secretary-General and comments thereon by the Economic and Social Council [resolution 1428 (XIV) of 5 December 1959];
  - (d) Promotion of wider trade co-operation among States: report of the Secretary-General [resolution 1421 (XIV) of 5 December 1959].
30. Programmes of technical assistance:
  - (a) Report of the Economic and Social Council [see resolution 1383 B (XIV) of 20 November 1959];
  - (b) United Nations assistance in public administration: report of the Secretary-General [resolution 1385 (XIV) of 20 November 1959];
  - (c) Confirmation of the allocation of funds under the Expanded Programme of Technical Assistance [resolution 831 (IX) of 26 November 1954].
31. Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States: report of the Economic and Social Council [resolutions 1414 (XIV) and 1415 (XIV) of 5 December 1959].
32. Question of assistance to Libya: report of the Secretary-General [resolution 1303 (XIII) of 10 December 1958].
33. Assistance to refugees:
  - (a) Report of the United Nations High Commissioner for Refugees;
  - (b) Report of the Secretary-General on the World Refugee Year.
34. Draft International Covenants on Human Rights [resolution 1458 (XIV) of 10 December 1959].
35. Draft Convention on Freedom of Information [resolution 1459 (XIV) of 10 December 1959].
36. Draft Declaration on Freedom of Information [Economic and Social Council resolution 756 (XXIX) of 21 April 1960].
37. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories:
  - (a) Progress achieved by the Non-Self-Governing Territories in pursuance of Chapter XI of the Charter [resolution 1461 (XIV) of 12 December 1959];
  - (b) Information on economic conditions;
  - (c) Information on other conditions;
  - (d) General questions relating to the transmission and examination of information;
  - (e) New developments connected with the association of Non-Self-Governing Territories with the European Economic Community: report of the Secretary-General [resolution 1470 (XIV) of 12 December 1959].
38. Study of principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations: report of the Special Committee established under General Assembly resolution 1467 (XIV) [resolution 1467 (XIV) of 12 December 1959].
39. Dissemination of information on the United Nations in Non-Self-Governing Territories: report of the Secretary-General [resolution 1465 (XIV) of 12 December 1959].
40. Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies: report of the Secretary-General [resolution 1466 (XIV) of 12 December 1959].

41. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General [resolution 1471 (XIV) of 12 December 1959].
42. Election to fill a vacancy in the membership of the Committee on Information from Non-Self-Governing Territories.
43. Question of South West Africa:
  - (a) Report of the Committee on South West Africa [resolution 749 A (VIII) of 28 November 1953];
  - (b) Report on negotiations with the Government of the Union of South Africa in accordance with General Assembly resolution 1360 (XIV) [resolution 1360 (XIV) of 17 November 1959];
  - (c) Election of three members of the Committee on South West Africa [resolution 1061 (XI) of 26 February 1957].
44. Question of the future of Western Samoa [Trusteeship Council resolution 2014 (XXVI) of 1 June 1960].
45. Question of the future of Ruanda-Urundi [Trusteeship Council resolution 2018 (XXVI) of 30 June 1960].
46. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General [resolution 1410 (XIV) of 5 December 1959].
47. Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General [resolution 1411 (XIV) of 5 December 1959].
48. Financial reports and accounts, and reports of the Board of Auditors:
  - (a) United Nations (for the financial year ended 31 December 1959);
  - (b) United Nations Children's Fund (for the financial year ended 31 December 1959);
  - (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East (for the financial year ended 31 December 1959);
  - (d) Voluntary funds administered by the United Nations High Commissioner for Refugees (for the financial year ended 31 December 1959);
  - (e) United Nations Korean Reconstruction Agency (liquidation and final accounts).
49. Supplementary estimates for the financial year 1960.
50. Budget estimates for the financial year 1961.
51. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly:
  - (a) Advisory Committee on Administrative and Budgetary Questions;
  - (b) Committee on Contributions;
  - (c) Board of Auditors;
  - (d) Investments Committee: confirmation of the appointment made by the Secretary-General;
  - (e) United Nations Administrative Tribunal.
52. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions.
53. Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account [resolution 519 A (VI) of 12 January 1952].
54. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and with the International Atomic Energy Agency: report of the Advisory Committee on Administrative and Budgetary Questions [resolution 1437 (XIV) of 5 December 1959].
55. Report of the Negotiating Committee for Extra-Budgetary Funds [resolution 1440 B (XIV) of 5 December 1959].
56. United Nations Library: report of the Secretary-General [resolution 1354 (XIV) of 3 November 1959].
57. Construction of the United Nations building in Santiago, Chile: progress report of the Secretary-General [resolution 1407 (XIV) of 1 December 1959].
58. Organization and work of the Secretariat: report of the Committee of Experts appointed under General Assembly resolution 1446 (XIV) and provisional recommendations thereon by the Secretary-General [resolution 1446 (XIV) of 5 December 1959].
59. Public information activities of the United Nations: report of the Secretary-General [resolution 1405 (XIV) of 1 December 1959].
60. Personnel questions:
  - (a) Geographical distribution of the staff of the Secretariat: report of the Secretary-General [resolution 1436 (XIV) of 5 December 1959];
  - (b) Proportion of fixed-term staff;
  - (c) Other personnel questions.
61. United Nations International School: report of the Secretary-General [resolution 1439 (XIV) of 5 December 1959].
62. Annual report of the United Nations Joint Staff Pension Board.
63. Comprehensive review of the United Nations Joint Staff Pension Fund [resolution 1310 (XIII) of 10 December 1958].
64. Proposed amendments to certain provisions of the Pension Scheme Regulations of the International Court of Justice [decision of the General Assembly of 1 December 1959; see A/4297, paras. 3 and 11].
65. Report of the International Law Commission on the work of its twelfth session.
66. Question of the publication of a United Nations juridical yearbook: report of the Secretary-General [resolution 1451 (XIV) of 7 December 1959].
67. Disarmament and the situation with regard to the fulfilment of General Assembly resolution 1378 (XIV) of 20 November 1959 on the question of disarmament [item proposed by the Union of Soviet Socialist Republics].
68. The problem of the Austrian minority in Italy [item proposed by Austria].
69. Suspension of nuclear and thermo-nuclear tests [item proposed by India].
70. Treatment of people of Indian origin in the Union of South Africa: report by the Government of India [item proposed by India].
71. Treatment of people of Indo-Pakistan origin in the Union of South Africa [item proposed by Pakistan].
72. Question of Algeria [item proposed by Afghanistan, Burma, Ceylon, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan,

Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Philippines, Saudi Arabia, Sudan, Tunisia, United Arab Republic and Yemen].

- 73 Question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa [item proposed by Afghanistan, Brazil, Burma, Cambodia, Ceylon,

Cuba, Denmark, El Salvador, Ethiopia, Federation of Malaya, Ghana, Guinea, Haiti, Iceland, India, Indonesia, Iran, Iraq, Ireland, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Norway, Pakistan, Panama, Philippines, Saudi Arabia, Sudan, Sweden, Thailand, Tunisia, United Arab Republic, Uruguay, Venezuela, Yemen and Yugoslavia].

## DOCUMENT A/4450

### Supplementary list of items for the agenda of the fifteenth session

[Original text: English]  
[24 August 1960]

1. Prevention of the wider dissemination of nuclear weapons [item proposed by Ireland].
2. Land reform [item proposed by Cuba].
3. Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems [item proposed by Romania].
4. Measures designed to promote among youth the ideas of peace, mutual respect and understanding between peoples [item proposed by Romania].
5. Appeal for maximum support to efforts of newly emerging States for strengthening their independence [item proposed by Czechoslovakia].
6. Question of Tibet [item proposed by the Federation of Malaya and Thailand].
7. The problem of Mauritania [item proposed by Morocco].
8. The menace to world peace created by aggressive action of the United States of America against the Union of Soviet Socialist Republics [item proposed by the Union of Soviet Socialist Republics].
9. Question of Hungary [item proposed by the United States of America].
10. Draft Declaration on the Right of Asylum [Economic and Social Council resolution 772 E (XXX)].
11. Main trends of inquiry in the natural sciences, dissemination of scientific knowledge and application of such knowledge for peaceful ends [Economic and Social Council resolution 804 B (XXX)].
12. Question of the composition of the Trusteeship Council [item proposed by the Secretary-General].

## DOCUMENT A/4474

### Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the fifteenth session

[Original text: Russian]  
[6 September 1960]

TELEGRAM DATED 5 SEPTEMBER 1960 FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE UNION OF SOVIET SOCIALIST REPUBLICS, ADDRESSED TO THE SECRETARY-GENERAL

On behalf of the Government of the Union of Soviet Socialist Republics, I request the inclusion, in the agenda of the General Assembly's fifteenth regular session, of the question "representation of China in the United Nations". In accordance with rule 20 of the rules of procedure of the General Assembly, I attach an explanatory memorandum.

(Signed) A. GROMYKO  
Minister for Foreign Affairs  
of the Union of Soviet Socialist Republics

#### EXPLANATORY MEMORANDUM

According to the Charter of the United Nations, the basic purposes of the Organization are the maintenance of international peace and security and the development of friendly relations among all nations based on respect for the principle of equal rights and self-determination of peoples. Unfortunately, over a very long period of time this principle of the United Nations Charter has been

violated. The State with the largest population in the world—the People's Republic of China—has been deprived of the possibility of taking part in the work of the United Nations and China's place in the United Nations has been occupied by the Chiang Kai-shek clique, which has been rejected by the people of China and is sheltering under the protection of American bayonets on the United States-occupied island of Taiwan—an inalienable part of the People's Republic of China. This occurs because the Governments of certain States Members of the United Nations, and particularly the Government of the United States of America, take a negative attitude towards the State system established by the people of China and, disregarding the provisions of the United Nations Charter, ratified by their legislative bodies, are employing every means to prevent the representatives of China from participating in the work of the United Nations. This policy of the States which are preventing the People's Republic of China from taking part in United Nations activities shows that these countries do not desire the effective development of international co-operation and wish to use the United Nations for narrow aims having nothing in common with the United Nations Charter. During the eleven years of its existence, the People's Republic of China, whose population constitutes

a quarter of that of the world, has achieved outstanding successes in the political, economic and social fields. The People's Republic of China is consistently pursuing a peaceful foreign policy and is playing, every year, a greater role in international affairs. China is a founder Member of the United Nations and a permanent member of the Security Council, which bears primary responsibility for the maintenance of international peace and security. The restoration of the legitimate rights of the People's Republic of China in the United Nations would vastly enhance the prestige and authority of the Organization, would be a major contribution to the general improvement of the international situation and would make it easier for the United Nations to accomplish the tasks conferred upon it by the Charter. The withholding from the People's Republic of China of the possibility of par-

ticipating in the activities of the United Nations is a source of enormous damage to the Organization itself and considerably restricts its opportunities for developing international co-operation. Further postponement of a positive solution to the question of the representation of the People's Republic of China only complicates the situation and injures the United Nations. For these reasons it is essential that the General Assembly should, at its present session, examine the question of the representation of China and adopt a decision whereby the Government of the People's Republic of China shall be invited to take part in the activities of the United Nations, and the Chiang Kai-shek representatives, who are unlawfully occupying China's place in the United Nations, shall be removed from all United Nations bodies.

## DOCUMENTS A/BUR/152 AND ADD.1 AND 2

### Adoption of the agenda and allocation of items: memorandum by the Secretary-General

#### Document A/BUR/152

[Original text: English]  
[14 September 1960]

1. The Secretary-General has the honour to place before the General Committee for its consideration the following observations and proposals in connexion with the report to be made to the plenary meeting by the General Committee on the adoption of the agenda of the fifteenth session and the allocation of agenda items.

#### I. ADOPTION OF THE AGENDA

2. All proposals for the inclusion of items in the agenda of the fifteenth session have been communicated to Members of the General Assembly in the following documents:

Provisional agenda of the fifteenth session (A/4420);

Supplementary list of items for the agenda of the fifteenth session (A/4450);

Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the fifteenth session (A/4474).

3. In connexion with item 22 of the provisional agenda, "Report of the Committee on the Peaceful Uses of Outer Space", the Secretary-General draws the attention of the General Committee to the fact that this Committee has not yet met and has therefore submitted no report to the General Assembly.

4. In view of Economic and Social Council resolution 768 (XXX) requesting the Secretary-General, so far as possible, to prepare detailed programmes for consideration by the General Assembly at its current session, it is suggested that item 31 be reformulated as follows: "Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States: reports by the Economic and Social Council and by the Secretary-General".

5. The Secretary-General also calls the attention of the General Assembly to a resolution adopted by the Second United Nations Conference on the Law of the Sea on 21 April 1960 in which the Conference recommends that the Assembly approve at its fifteenth session "the necessary budget appropriations for the publica-

tion . . . of a complete verbatim record of the discussions at the Second United Nations Conference on the Law of the Sea".<sup>1</sup> He suggests that this resolution might be considered by the Fifth Committee in connexion with its consideration of the budget estimates (item 50).

6. The Secretary-General wishes to point out the similarity between the subject matter of items 70 and 71 relating to the treatment of people of Indian origin and of Indo-Pakistan origin in the Union of South Africa. The General Committee may wish to recommend that these two items be considered as sub-items under one heading.

7. Taking into account paragraphs 3 to 5 above, and subject to the General Committee's recommendation regarding paragraph 6, the agenda of the fifteenth session would read as follows:<sup>2</sup>

1. Opening of the session by the Chairman of the delegation of Peru (P.1).
2. Minute of silent prayer or meditation (P.2).
3. Credentials of representatives to the fifteenth session of the General Assembly (P.3):
  - (a) Appointment of the Credentials Committee;
  - (b) Report of the Credentials Committee.
4. Election of the President (P.4).
5. Constitution of the Main Committees and election of officers (P.5).
6. Election of Vice-Presidents (P.6).
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter (P.7).
8. Adoption of the agenda (P.8).
9. Opening of the general debate (P.9).
10. Report of the Secretary-General on the work of the Organization (P.10).
11. Report of the Security Council (P.11).
12. Report of the Economic and Social Council (P.12).
13. Report of the Trusteeship Council (P.13).

<sup>1</sup> *Second United Nations Conference on the Law of the Sea: Annexes and Final Act* (United Nations publication, Sales No.: 60.V.6), document A/CONF/19/L.15, annex I.

<sup>2</sup> The abbreviations used in the agenda indicate the following: P. = an item on the provisional agenda (A/4420); S. = an item on the supplementary list (A/4450); A. = an additional item (A/4474).

14. Report of the International Atomic Energy Agency (P.14).
15. Election of three non-permanent members of the Security Council (P.15).
16. Election of six members of the Economic and Social Council (P.16).
17. Election of members of the International Court of Justice (P.17):
  - (a) Election of five members of the Court;
  - (b) Election of a member of the Court to fill the vacancy caused by the death of Sir Hersch Lauterpacht.
18. Appointment of the members of the Peace Observation Commission (P.18).
19. Election of the United Nations High Commissioner for Refugees (P.19).
20. Admission of new Members to the United Nations (P.20).
21. The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea (P.21).
22. Report of the Committee on the Peaceful Uses of Outer Space (P.22).
23. Question of an increase in the membership of the Security Council and of the Economic and Social Council (P.23).
24. Report of the United Nations Scientific Committee on the Effects of Atomic Radiation (P.24).
25. Final report of the Secretary-General evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future (P.25).
26. Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (P.26).
27. United Nations Emergency Force (P.27):
  - (a) Cost estimates for the maintenance of the Force;
  - (b) Progress report on the Force.
28. Progress and operations of the Special Fund (P.28).
29. Economic development of under-developed countries (P.29):
  - (a) International flow of private capital: report of the Secretary-General and recommendations thereon by the Economic and Social Council;
  - (b) Question of the establishment of a United Nations capital development fund: report of the Secretary-General;
  - (c) Methods and techniques for carrying out a study of world economic development: report of the Secretary-General and comments thereon by the Economic and Social Council;
  - (d) Promotion of wider trade co-operation among States: report of the Secretary-General.
30. Programmes of technical assistance (P.30):
  - (a) Report of the Economic and Social Council;
  - (b) United Nations assistance in public administration: report of the Secretary-General;
  - (c) Confirmation of the allocation of funds under the Expanded Programme of Technical Assistance.
31. Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States: reports of the Economic and Social Council and of the Secretary-General (P.31).
32. Question of assistance to Libya: report of the Secretary-General (P.32).
33. Assistance to refugees (P.33):
  - (a) Report of the United Nations High Commissioner for Refugees;
  - (b) Report of the Secretary-General on the World Refugee Year.
34. Draft International Covenants on Human Rights (P.34).
35. Draft Convention on Freedom of Information (P.35).
36. Draft Declaration on Freedom of Information (P.36).
37. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (P.37):
  - (a) Progress achieved by the Non-Self-Governing Territories in pursuance of Chapter XI of the Charter;
  - (b) Information on economic conditions;
  - (c) Information on other conditions;
  - (d) General questions relating to the transmission and examination of information;
  - (e) New developments connected with the association of Non-Self-Governing Territories with the European Economic Community: report of the Secretary-General.
38. Study of principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations: report of the Special Committee established under General Assembly resolution 1467 (XIV) (P.38).
39. Dissemination of information on the United Nations in Non-Self-Governing Territories: report of the Secretary-General (P.39).
40. Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies: report of the Secretary-General (P.40).
41. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General (P.41).
42. Election to fill a vacancy in the membership of the Committee on Information from Non-Self-Governing Territories (P.42).
43. Question of South West Africa (P.43):
  - (a) Report of the Committee on South West Africa;
  - (b) Report on negotiations with the Government of the Union of South Africa in accordance with General Assembly resolution 1360 (XIV);
  - (c) Election of three members of the Committee on South West Africa.
44. Question of the future of Western Samoa (P.44).
45. Question of the future of Ruanda-Urundi (P.45).

46. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General (P.46).
47. Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General (P.47).
48. Financial reports and accounts, and reports of the Board of Auditors (P.48):
  - (a) United Nations (for the financial year ended 31 December 1959);
  - (b) United Nations Children's Fund (for the financial year ended 31 December 1959);
  - (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East (for the financial year ended 31 December 1959);
  - (d) Voluntary funds administered by the United Nations High Commissioner for Refugees (for the financial year ended 31 December 1959);
  - (e) United Nations Korean Reconstruction Agency (liquidation and final accounts).
49. Supplementary estimates for the financial year 1960 (P.49).
50. Budget estimates for the financial year 1961 (P.50).
51. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly (P.51):
  - (a) Advisory Committee on Administrative and Budgetary Questions;
  - (b) Committee on Contributions;
  - (c) Board of Auditors;
  - (d) Investments Committee: confirmation of the appointment made by the Secretary-General;
  - (e) United Nations Administrative Tribunal.
52. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions (P.52).
53. Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account (P.53).
54. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and with the International Atomic Energy Agency: report of the Advisory Committee on Administrative and Budgetary Questions (P.54).
55. Report of the Negotiating Committee for Extra-Budgetary Funds (P.55).
56. United Nations Library: report of the Secretary-General (P.56).
57. Construction of the United Nations building in Santiago, Chile: progress report of the Secretary-General (P.57).
58. Organization and work of the Secretariat: report of the Committee of Experts appointed under General Assembly resolution 1446 (XIV) and provisional recommendations thereon by the Secretary-General (P.58).
59. Public information activities of the United Nations: report of the Secretary-General (P.59).
60. Personnel questions (P.60):
  - (a) Geographical distribution of the staff of the Secretariat: report of the Secretary-General;
  - (b) Proportion of fixed-term staff;
  - (c) Other personnel questions.
61. United Nations International School: report of the Secretary-General (P.61).
62. Annual report of the United Nations Joint Staff Pension Board (P.62).
63. Comprehensive review of the United Nations Joint Staff Pension Fund (P.63).
64. Proposed amendments to certain provisions of the Pension Scheme Regulations of the International Court of Justice (P.64).
65. Report of the International Law Commission on the work of its twelfth session (P.65).
66. Question of the publication of a United Nations juridical yearbook: report of the Secretary-General (P.66).
67. Disarmament and the situation with regard to the fulfilment of General Assembly resolution 1378 (XIV) of 20 November 1959 on the question of disarmament (P.67).
68. The problem of the Austrian minority in Italy (P.68).
69. Suspension of nuclear and thermo-nuclear tests (P.69).
70. Treatment of people of Indian origin in the Union of South Africa: report by the Government of India (P.70).
71. Treatment of people of Indo-Pakistan origin in the Union of South Africa (P.71).
72. Question of Algeria (P.72).
73. Question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa (P.73).
74. Prevention of the wider dissemination of nuclear weapons (S.1).
75. Land reform (S.2).
76. Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems (S.3).
77. Measures designed to promote among youth the ideas of peace, mutual respect and understanding between peoples (S.4).
78. Appeal for maximum support to efforts of newly emerging States for strengthening their independence (S.5).
79. Question of Tibet (S.6).
80. The problem of Mauritania (S.7).
81. The menace to world peace created by aggressive actions of the United States of America against the Union of Soviet Socialist Republics (S.8).
82. Question of Hungary (S.9).
83. Draft Declaration on the Right of Asylum (S.10).
84. Main trends of inquiry in the natural sciences, dissemination of scientific knowledge and application of such knowledge for peaceful ends (S.11).
85. Question of the composition of the Trusteeship Council (S.12).
86. Representation of China in the United Nations (A.).

## II. ALLOCATION OF ITEMS

8. In connexion with item 12 of the provisional agenda, "Report of the Economic and Social Council", the Secretary-General proposes that, as in previous years, the allocation of chapters to committees should be in

accordance with the fields of competence of the committees concerned. Thus, chapters II, III and IV would be referred to the Second Committee; chapters V and VI to the Third Committee; chapter IX to the Fifth Committee. Chapters I, VII and VIII would be considered in plenary, subject to the following exceptions as regards chapter VII; (i) section I entitled "Programme appraisals in the economic, social and human rights fields" would be referred to the Fifth Committee and would be available also to the Second and Third Committees; (ii) the sub-section entitled "Consultation with specialized agencies" (para. 645), which includes a draft resolution proposed by the Council for adoption by the General Assembly, would be referred to the Second and Third Committees for any comments, and then to the Sixth Committee for consideration and report; and (iii) sections IV and V entitled "International relations and exchanges in the fields of education, science and culture" and "Scientific research" would be referred to the Third Committee.

9. Subject to the recommendations of the General Committee with regard to the adoption of the agenda, the Secretary-General proposes for consideration by the Committee the allocation of agenda items set forth below:

#### *Plenary meetings*

1. Opening of the session by the Chairman of the delegation of Peru.
2. Minute of silent prayer or meditation.
3. Credentials of representatives to the fifteenth session of the General Assembly:
  - (a) Appointment of the Credentials Committee;
  - (b) Report of the Credentials Committee.
4. Election of the President.
5. Constitution of the Main Committees and election of officers.
6. Election of Vice-Presidents.
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter.
8. Adoption of the agenda.
9. Opening of the general debate.
10. Report of the Secretary-General on the work of the Organization.
11. Report of the Security Council.
12. Report of the Economic and Social Council (chapters I, VII (except sections I, IV, V and paragraph 645) and VIII).
13. Report of the International Atomic Energy Agency.
14. Election of three non-permanent members of the Security Council.
15. Election of six members of the Economic and Social Council.
16. Election of members of the International Court of Justice:
  - (a) Election of five members of the Court;
  - (b) Election of a member of the Court to fill the vacancy caused by the death of Sir Hersch Lauterpacht.
17. Appointment of the members of the Peace Observation Commission.
18. Election of the United Nations Commissioner for Refugees.
19. Admission of new Members to the United Nations.

20. United Nations Emergency Force:
  - (b) Progress report on the Force.
21. Question of Tibet.
22. Question of Hungary.
23. Question of the composition of the Trusteeship Council.
24. Representation of China in the United Nations.

#### *First Committee*

1. The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea.
2. Report of the Committee on the Peaceful Uses of Outer Space.
3. Disarmament and the situation with regard to the fulfilment of General Assembly resolution 1378 (XIV) of 20 November 1959 on the question of disarmament.
4. Suspension of nuclear and thermo-nuclear tests.
5. Question of Algeria.
6. Prevention of the wider dissemination of nuclear weapons.
7. The problem of Mauritania.
8. The menace to world peace created by aggressive actions of the United States of America against the Union of Soviet Socialist Republics.

#### *Special Political Committee*

1. Question of an increase in the membership of the Security Council and of the Economic and Social Council.
2. Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.
3. Report of the United Nations Scientific Committee on the Effects of Atomic Radiation.
4. Final report of the Secretary-General evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future.
5. The problem of the Austrian minority in Italy.
6. Treatment of people of Indian origin in the Union of South Africa: report by the Government of India.
7. Treatment of people of Indo-Pakistan origin in the Union of South Africa.
8. Question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa.
9. Actions on the regional level with a view to improving good neighbourly relations among Europeans having different social and political systems.
10. Appeal for maximum support to efforts of newly emerging States for strengthening their independence.

#### *Second Committee*

1. Report of the Economic and Social Council (chapters II, III, IV and VII (paragraph 645 only)).
2. Programmes of technical assistance:
  - (a) Report of the Economic and Social Council;
  - (b) United Nations assistance in public administration: report by the Secretary-General;
  - (c) Confirmation of the allocation of funds under the Expanded Programme of Technical Assistance.

3. Progress and operations of the Special Fund.
4. Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States: reports of the Economic and Social Council and of the Secretary-General.
5. Economic development of under-developed countries.
  - (a) International flow of private capital: report of the Secretary-General and recommendations thereon by the Economic and Social Council;
  - (b) Question of the establishment of a United Nations capital development fund: report of the Secretary-General;
  - (c) Methods and techniques for carrying out a study of world economic development: report of the Secretary-General and comments thereon by the Economic and Social Council;
  - (d) Promotion of wider trade co-operation among States: report of the Secretary-General.
6. Land reform.
7. Question of assistance to Libya: report of the Secretary-General.

#### *Third Committee*

1. Report of the Economic and Social Council (chapters V, VI and VII (section II, paragraph 645 only, and sections IV and V)).
2. Assistance to refugees:
  - (a) Report of the United Nations High Commissioner for Refugees;
  - (b) Report of the Secretary-General on the World Refugee Year.
3. Draft International Covenants on Human Rights.
4. Draft Convention on Freedom of Information.
5. Draft Declaration on Freedom of Information.
6. Draft Declaration on the Right of Asylum.
7. Main trends of inquiry in the natural sciences, dissemination of scientific knowledge and application of such knowledge for peaceful ends.
8. Measures designed to promote among youth the ideas of peace, mutual respect and understanding between peoples.

#### *Fourth Committee*

1. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories:
  - (a) Progress achieved by the Non-Self-Governing Territories in pursuance of Chapter XI of the Charter;
  - (b) Information on economic conditions;
  - (c) Information on other conditions;
  - (d) General questions relating to the transmission and examination of information;
  - (e) New developments connected with the association of Non-Self-Governing Territories with the European Economic Community: report of the Secretary-General.
2. Study of principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations: report of

the Special Committee established under General Assembly resolution 1467 (XIV).

3. Dissemination of information on the United Nations in Non-Self-Governing Territories: report of the Secretary-General.
4. Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies: report of the Secretary-General.
5. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General.
6. Election to fill a vacancy in the membership of the Committee on Information from Non-Self-Governing Territories.
7. Question of South West Africa:
  - (a) Report of the Committee on South West Africa;
  - (b) Report on negotiations with the Government of the Union of South Africa in accordance with General Assembly resolution 1360 (XIV);
  - (c) Election of three members of the Committee on South West Africa.
8. Question of the future of Ruanda-Urundi.
9. Question of the future of Western Samoa.
10. Report of the Trusteeship Council.
11. Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General.
12. Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General.

#### *Fifth Committee*

1. Financial reports and accounts, and reports of the Board of Auditors:
  - (a) United Nations (for the financial year ended 31 December 1959);
  - (b) United Nations Children's Fund (for the financial year ended 31 December 1959);
  - (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East (for the financial year ended 31 December 1959);
  - (d) Voluntary funds administered by the United Nations High Commissioner for Refugees (for the financial year ended 31 December 1959);
  - (e) United Nations Korean Reconstruction Agency (liquidation and final accounts).
2. Supplementary estimates for the financial year 1960.
3. Budget estimates for the financial year 1961.
4. Public information activities of the United Nations: report of the Secretary-General.
5. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly:
  - (a) Advisory Committee on Administrative and Budgetary Questions;
  - (b) Committee on Contributions;
  - (c) Board of Auditors;
  - (d) Investments Committee: confirmation of the appointment made by the Secretary-General;
  - (e) United Nations Administrative Tribunal.
6. Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account.

7. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and with the International Atomic Energy Agency: report of the Advisory Committee on Administrative and Budgetary Questions.
8. Report of the Negotiating Committee for Extra-Budgetary Funds.
9. United Nations Library: report of the Secretary-General.
10. Construction of the United Nations building in Santiago, Chile: progress report of the Secretary-General.
11. Organization and work of the Secretariat: report of the Committee of Experts appointed under General Assembly resolution 1446 (XIV) and provisional recommendations thereon by the Secretary-General.
12. United Nations Emergency Force:
  - (a) Cost estimates for the maintenance of the Force.
13. Personnel questions:
  - (a) Geographical distribution of the staff of the Secretariat: report of the Secretary-General;
  - (b) Proportion of fixed-term staff;
  - (c) Other personnel questions.
14. United Nations International School: report of the Secretary-General.
15. Comprehensive review of the United Nations Joint Staff Pension Fund.
16. Annual report of the United Nations Joint Staff Pension Board.
17. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions.
18. Proposed amendments to certain provisions of the Pension Scheme Regulations of the International Court of Justice.
19. Report of the Economic and Social Council (chapters VII (section I only) and IX).

#### *Sixth Committee*

1. Report of the International Law Commission on the work of its twelfth session.
2. Question of the publication of a United Nations juridical yearbook: report of the Secretary-General.

3. Report of the Economic and Social Council (chapter VII, paragraph 645 only).

#### **Document A/BUR/152/Add.1**

[Original text: English]  
[17 September 1960]

1. The Secretary-General wishes to draw the attention of the General Committee to the request by the Union of Soviet Socialist Republics for the inclusion in the agenda of an additional item entitled "Threat to the political independence and territorial integrity of the Republic of the Congo" (A/4495), which was submitted since the issuance of his memorandum of 14 September 1960 (A/BUR/152).

2. Should the item be recommended for inclusion in the agenda, the Secretary-General suggests that it be allocated to the First Committee for consideration and report.

#### **Document A/BUR/152/Add.2**

[Original text: English]  
[20 March 1961]

The Secretary-General wishes to draw the attention of the General Committee to the following items which have been proposed for inclusion in the agenda of the resumed fifteenth session of the General Assembly:

(a) Review of the methods and procedures of the General Assembly: item proposed by Bolivia, Costa Rica and the United Kingdom of Great Britain and Northern Ireland (A/4616);

(b) Agreement on relationship between the United Nations and the International Development Association (A/4683);

(c) Situation in Angola (A/4712).

In connexion with (a) above, the General Committee will recall that the General Assembly approved the proposal of the Committee (A/4634, para. 9) to adjourn consideration of the inclusion of this item on the understanding that the inclusion of the item remained on the Committee's agenda and would be considered at the beginning of the resumed fifteenth session.

### **DOCUMENTS A/BUR/153 AND ADD.1**

#### **Organization of the fifteenth session: memorandum by the Secretary-General**

##### **Document A/BUR/153**

[Original text: English]  
[14 September 1960]

1. The Secretary-General has the honour to place before the General Committee the following observations and suggestions regarding the arrangements for the meetings of the General Assembly and its Main Committees during the fifteenth session.

#### **SCHEDULE OF MEETINGS**

2. It is suggested that both plenary and committee meetings should begin promptly at 10.30 a.m. and 3 p.m.

3. It is proposed that a five-day working week be established, it being understood that extended morning meetings on Saturdays may be scheduled should this prove necessary.

#### **CLOSING DATE FOR THE SESSION**

4. In accordance with the provisions of rule 2 of the rules of procedure, the Secretary-General wishes to suggest that the General Committee propose to the General Assembly 17 December 1960 as the closing date of the fifteenth session.

## VERBATIM RECORDS OF MAIN COMMITTEES

5. The Secretary-General wishes to draw to the General Committee's attention that in previous years, in accordance with a recommendation made by the Fifth Committee at the second session, verbatim records have been authorized "for one Main Committee at a time, the committee which, in the opinion of the General Committee, has the most important items on its agenda".<sup>3</sup> The Secretary-General suggests that, as previously, the Committee to be provided with verbatim services should be the First Committee. In addition, the Secretary-General will be in a position to have the debates of one Committee transcribed from the sound recordings of that Committee's proceedings; it is suggested that, as in previous years, this service be provided to the Special Political Committee.

## SEATING ARRANGEMENTS

6. In accordance with established practice, the Secretary-General caused lots to be drawn for the purpose of choosing the Member to occupy the first desk on the Assembly floor from which the alphabetical seating order

<sup>3</sup> *Official Records of the General Assembly, Second Session, Plenary Meetings*, annex 6b, document A/498, p. 1501.

will begin. Burma was the name drawn and, consequently, the delegation of Burma will sit at the first desk at the extreme right of the President. At the initial meetings of the Main Committees, the same seating order will be observed. There will be, however, a weekly rotation of five places in the Main Committees thereafter.

**Document A/BUR/153/Add.1**

[Original text: English]  
[20 March 1961]

1. The General Committee will recall that in its previous report to the General Assembly (A/4634) it deferred until after the Assembly reconvened a recommendation concerning a new closing date for the fifteenth session, while stating its understanding "that the Committee, in recommending dates for a recess and for a resumption of the fifteenth session, was, *ipso facto*, recommending to the Assembly a reversal of the previous decision to fix 17 December as the closing date of the session".

2. The Secretary-General suggests that the General Committee now propose to the General Assembly 21 April 1961 as the closing date of the fifteenth session.

**DOCUMENT A/4520****First report of the General Committee**

[Original text: English]  
[29 September 1960]

1. The General Committee, at its 127th to 130th meetings held on 22, 23, 27 and 28 September 1960, considered the provisional agenda of the fifteenth session (A/4420), the supplementary list of items (A/4450), and two requests by the Union of Soviet Socialist Republics (A/4474, A/4495) for the inclusion of additional items, as contained in the memorandum by the Secretary-General relating to the adoption of the agenda and the allocation of items (A/BUR/152 and Add.1). The Committee also considered two further requests for the inclusion of additional items, one by the Union of Soviet Socialist Republics (A/4501) and one by the United States of America (A/4515). In addition, the Committee had before it a note by the Secretary-General (A/4500) drawing attention, in connexion with a possible additional item entitled "Report of the Disarmament Commission", to a letter from the Chairman of the Disarmament Commission transmitting the text of a resolution adopted by that Commission and the records of the discussions of the Commission (A/4463).

2. The Committee approved a suggestion by the Secretary-General (A/BUR/152, para. 4) that item 31 be reformulated to read "Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States: reports of the Economic and Social Council and of the Secretary-General".

3. The Committee also approved a suggestion by the Secretary-General (A/BUR/152, para. 5) that a resolution adopted by the Second United Nations Conference on the Law of the Sea relating to the publication of its verbatim records should be considered by the Fifth Committee in connexion with its consideration of the budget estimates.

4. The Committee noted that the delegations of India and Pakistan had agreed that items 70 and 71 would be amalgamated as one item worded "Treatment of people of Indian and Indo-Pakistan origin in the Union of South Africa". The Committee agreed to this suggestion and decided to recommend the inclusion of the item as reworded.

5. With regard to item 17, "Election of members of the International Court of Justice", the Committee decided, on the proposal of the representative of Canada, to recommend that the order of sub-items (a) and (b) be reversed.

6. Following discussions, in which the representatives of Austria and Italy were invited to take part, the Committee approved a rewording of item 68 suggested by the representative of Canada and agreed to by the representatives of Austria and Italy to read "The status of the German-speaking element in the Province of Bolzano (Bozen); implementation of the Paris agreement of 5 September 1946". The Committee decided without objection to recommend the inclusion of the item as reworded.

7. For the consideration of item 79, "Question of Tibet", the representatives of the Federation of Malaya and Thailand were invited to the Committee table and made statements. Following a discussion, the Committee decided by 11 votes to 4, with 5 abstentions, to recommend the inclusion of this item.

8. On the proposal of the United States, the General Committee decided by 14 votes to 3, with 1 abstention, to recommend the rewording of item 81 to read "Complaint of the Union of Soviet Socialist Republics about a menace to world peace created by aggressive actions of the United States of America against the Union of

Soviet Socialist Republics" and without objection recommended the inclusion of the item as reworded.

9. In connexion with the consideration of item 82, "Question of Hungary", the Committee decided without objection to invite the representative of Hungary to the Committee table, and by 13 votes to 4, with 3 abstentions, to invite Sir Leslie Munro, United Nations Representative on Hungary. Following a discussion, it decided by 12 votes to 4, with 4 abstentions, to recommend the inclusion of the item in the agenda.

10. With regard to item 86, "Representation of China in the United Nations", proposed by the Union of Soviet Socialist Republics, the representative of the United States proposed that the General Committee recommend the following draft resolution for adoption by the General Assembly:

*"The General Assembly*

"1. *Decides* to reject the request of the Union of Soviet Socialist Republics for the inclusion in the agenda of its fifteenth regular session of the item entitled 'Representation of China in the United Nations';

"2. *Decides* not to consider, at its fifteenth regular session, any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China."

Following a discussion, the Committee decided, by 12 votes to 5, with 3 abstentions, to give priority in the voting to the United States proposal. Paragraph 1 of the United States draft resolution was approved by 11 votes to 7, with 2 abstentions, and paragraph 2 by 12 votes to 7, with 1 abstention. The draft resolution as a whole was approved by 12 votes to 7, with 1 abstention.

11. On the proposal of the representative of Ceylon, the Committee decided, without objection, to recommend the rewording of the additional item proposed by the Union of Soviet Socialist Republics (A/BUR/152/Add.1) entitled "Threat to the political independence and territorial integrity of the Republic of the Congo", to read "The situation in the Republic of the Congo". Following a discussion as to whether the Committee should postpone its recommendation for the inscription of this item, the Committee decided, without objection, to recommend its inclusion in the agenda as reworded.

12. Representatives of the following Member States were invited to the Committee table and made statements on the items<sup>4</sup> indicated: India (items 67, 70, 71, 72, 73), Austria (item 68), Italy (item 68), Union of South Africa (items 70, 71, 73), Federation of Malaya (item 79), Thailand (item 79), Morocco (item 80), Hungary (item 82).

13. Objections to the inclusion of items 70, 71 and 73 of the provisional agenda were raised by the representative of the Union of South Africa and to the inclusion of item 72 of the provisional agenda by the representative of France.

#### I. ADOPTION OF THE AGENDA

14. Taking into account paragraphs 2 to 11 above, the General Committee recommends the adoption of the following agenda for the fifteenth session:

[For items 1 to 16, see A/BUR/152, para. 7.]

<sup>4</sup> The item numbers are those of the proposed agenda in document A/BUR/152.

17. Election of members of the International Court of Justice:

(a) Election of a member of the Court to fill the vacancy caused by the death of Sir Hersch Lauterpacht;

(b) Election of five members of the Court.

[For items 18 to 67, see A/BUR/152, para. 7.]

68. The status of the German-speaking element in the Province of Bolzano (Bozen); implementation of the Paris agreement of 5 September 1946.
69. Suspension of nuclear and thermo-nuclear tests.
70. Treatment of people of Indian and Indo-Pakistan origin in the Union of South Africa.
71. Question of Algeria.
72. Question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa.
73. Prevention of the wider dissemination of nuclear weapons.
74. Land reform.
75. Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems.
76. Measures designed to promote among youth the ideas of peace, mutual respect and understanding between peoples.
77. Appeal for maximum support to efforts of newly emerging States for strengthening their independence.
78. Question of Tibet.
79. The problem of Mauritania.
80. Complaint of the Union of Soviet Socialist Republics about a menace to world peace created by aggressive actions of the United States of America against the Union of Soviet Socialist Republics.
81. Question of Hungary.
82. Draft Declaration on the Right of Asylum.
83. Main trends of inquiry in the natural sciences, dissemination of scientific knowledge and application of such knowledge for peaceful ends.
84. Question of the composition of the Trusteeship Council.
85. The situation in the Republic of the Congo.
86. Report of the Disarmament Commission.
87. Declaration on the granting of independence to colonial countries and peoples.
88. Africa: a United Nations programme for independence and development.

#### II. ALLOCATION OF AGENDA ITEMS

15. The General Committee discussed the allocation of items proposed by the Secretary-General in his memorandum (A/BUR/152, para. 9, and A/BUR/152/Add.1) as well as the allocation of the additional items proposed subsequently.

16. With regard to the allocation of items to plenary meetings, the representative of the Union of Soviet Socialist Republics objected to the allocation to plenary meeting of the items relating to Tibet (item 79) and Hungary (item 82) and proposed that the following items be allocated to plenary meeting:

(a) Disarmament and the situation with regard to the fulfilment of General Assembly resolution 1378 (XIV) of 20 November 1959 on the question of disarmament (item 67);

(b) Declaration on the granting of independence to colonial countries and peoples (item 87);

(c) Complaint of the Union of Soviet Socialist Republics about a menace to world peace created by aggressive actions of the United States of America against the Union of Soviet Socialist Republics (item 80);

(d) The situation in the Republic of the Congo (item 85).

The Committee by 11 votes to 4, with 4 abstentions, decided to recommend the allocation to plenary meeting of the items relating to Tibet and Hungary. It rejected the proposals to recommend the allocation of items (a), (b) and (c) above to plenary meeting: item (a) by 13 votes to 4, with 2 abstentions, item (b) by 10 votes to 7, with 1 abstention, and item (c) by 12 votes to 3, with 4 abstentions. It decided, without objection, to recommend that item (d) above be allocated to plenary meeting.

17. The Committee decided, without objection, to recommend that the item entitled "Report of the Disarmament Commission" (item 86) be allocated to the First Committee. On the proposal of the United States representative, it decided by 8 votes to 2, with 9 abstentions, to recommend that the item proposed by the Union of Soviet Socialist Republics, "Declaration on the granting of independence to colonial countries and peoples" (item 87) be allocated to the First Committee and, without objection, that the item proposed by the United States of America: "Africa: a United Nations programme for independence and development" (item 88), be allocated to the First Committee. The representative of the Union of Soviet Socialist Republics made a formal objection to the allocation to the First Committee of items 67 and 80, as proposed in the Secretary-General's memorandum (A/BUR/152, para. 9).

18. Taking into account paragraphs 16 and 17 above, the General Committee recommends the following allocation of items:

#### *Plenary meetings*

1. Opening of the session by the Chairman of the delegation of Peru.
2. Minute of silent prayer or meditation.
3. Credentials of representatives of the fifteenth session of the General Assembly:
  - (a) Appointment of the Credentials Committee;
  - (b) Report of the Credentials Committee.
4. Election of the President.
5. Constitution of the Main Committees and election of officers.
6. Election of Vice-Presidents.
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter.
8. Adoption of the agenda.
9. Opening of the general debate.
10. Report of the Secretary-General on the work of the Organization.
11. Report of the Security Council.

12. Report of the Economic and Social Council (chapters I, VII (except sections I, IV, V and paragraph 645) and VIII).
13. Report of the International Atomic Energy Agency.
14. Election of three non-permanent members of the Security Council.
15. Election of six members of the Economic and Social Council.
16. Election of members of the International Court of Justice:
  - (a) Election of a member of the Court to fill the vacancy caused by the death of Sir Hersch Lauterpacht;
  - (b) Election of five members of the Court.
17. Appointment of the members of the Peace Observation Commission.
18. Election of the United Nations High Commissioner for Refugees.
19. Admission of new Members to the United Nations.
20. United Nations Emergency Force:
  - (b) Progress report on the Force.
21. Question of Tibet.
22. Question of Hungary.
23. Question of the composition of the Trusteeship Council.
24. The situation in the Republic of the Congo.

#### *First Committee*

1. The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea.
2. Report of the Committee on the Peaceful Uses of Outer Space.
3. Disarmament and the situation with regard to the fulfilment of General Assembly resolution 1378 (XIV) of 20 November 1959 on the question of disarmament.
4. Suspension of nuclear and thermo-nuclear tests.
5. Question of Algeria.
6. Prevention of the wider dissemination of nuclear weapons.
7. The problem of Mauritania.
8. Complaint of the Union of Soviet Socialist Republics about a menace to world peace created by aggressive actions of the United States of America against the Union of Soviet Socialist Republics.
9. Report of the Disarmament Commission.
10. Declaration on the granting of independence to colonial countries and peoples.
11. Africa: a United Nations programme for independence and development.

#### *Special Political Committee*

1. Question of an increase in the membership of the Security Council and of the Economic and Social Council.
2. Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.
3. Report of the United Nations Scientific Committee on the Effects of Atomic Radiation.
4. Final report of the Secretary-General evaluating the Second United Nations International Conference on

the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future.

5. The status of the German-speaking element in the Province of Bolzano (Bozen); implementation of the Paris agreement of 5 September 1946.
6. Treatment of people of Indian and Indo-Pakistan origin in the Union of South Africa.
7. Question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa.
8. Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems.
9. Appeal for maximum support to efforts of newly emerging States for strengthening their independence.

*Second, Third, Fourth, Fifth and Sixth Committees*  
[See A/BUR/152, para. 9.]

### III. ORGANIZATION OF THE SESSION

19. On the proposal of the Secretary-General (A/BUR/153), the General Committee recommends that

the General Assembly approve the following arrangements relating to the schedule of meetings:

(a) That both plenary and Committee meetings should begin at 10.30 a.m. and 3 p.m.;

(b) That a five-day working week be established, it being understood that extended morning meetings on Saturdays may be scheduled should this prove necessary.

20. The General Committee recommends that the General Assembly approve, in accordance with rule 2 of the rules of procedure, 17 December 1960 as the closing date of the fifteenth session.

21. The General Committee approves the suggestion by the Secretary-General that the Main Committee to be provided with verbatim services should be the First Committee and that the debates of the Special Political Committee be transcribed from the sound recordings of the Committee's proceedings.

22. The General Committee noted with approval the seating arrangements made by the Secretary-General for the General Assembly.

## DOCUMENT A/4549

### Second report of the General Committee

[Original text: English]  
[26 October 1960]

1. The General Committee, at its 131st meeting on 25 October 1960, considered the following requests for the inclusion of additional items in the agenda of the fifteenth session:

(a) Question of Oman: item proposed by Iraq, Jordan, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Tunisia, United Arab Republic and Yemen (A/4521);

(b) Complaint by the Revolutionary Government of Cuba regarding the various plans of aggression and acts of intervention being executed by the Government of the United States of America against the Republic of Cuba, constituting a manifest violation of its territorial integrity, sovereignty and independence, and a clear threat to international peace and security: item proposed by Cuba (A/4543).

2. By 14 votes to 2, with 4 abstentions, the General Committee decided to recommend the inclusion of item (a) above in the agenda. It decided, without objection, to recommend that the item be allocated to the Special Political Committee.

3. The General Committee decided, without objection, to recommend the inclusion of item (b) above. By 10 votes to 6, with 4 abstentions, it rejected a proposal by the representative of the Union of Soviet Socialist Republics recommending that the item be referred directly to plenary meeting, and adopted by 12 votes to 3, with 5 abstentions, a proposal of the representative of the United States of America to recommend that the item be allocated to the First Committee.

## DOCUMENT A/4616

### Bolivia, Costa Rica and United Kingdom of Great Britain and Northern Ireland: request for the inclusion of an additional item in the agenda of the fifteenth session

[Original text: English]  
[5 December 1960]

LETTER DATED 5 DECEMBER 1960 FROM THE PERMANENT REPRESENTATIVES OF BOLIVIA, COSTA RICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ADDRESSED TO THE SECRETARY-GENERAL

1. On the instructions of our Governments we have the honour to propose, under rule 15 of the rules of procedure, the inclusion in the agenda of the fifteenth session of the General Assembly of the following item:

"Review of the methods and procedures of the General Assembly".

2. An explanatory memorandum as required by rule 20 of the rules of procedure is attached.

(Signed) Marcial TAMAYO  
Representative of Bolivia  
to the United Nations

(Signed) G. ORTIZ  
Representative of Costa Rica  
to the United Nations

(Signed) Patrick DEAN  
Representative of the United Kingdom  
of Great Britain and Northern Ireland  
to the United Nations

## EXPLANATORY MEMORANDUM

1. By resolution 271 (III) of 29 April 1949, the General Assembly appointed a Special Committee to consider methods and procedures which would enable the Assembly and its Committees to discharge their functions more effectively and expeditiously. The Committee reported to the fourth session of the General Assembly. By resolution 362 (IV) of 22 October 1949, the Assembly approved the recommendations and suggestions of the Committee, which now form annex I to the rules of procedure of the Assembly, together with certain amendments and additions to the rules designed to expedite the work of the Assembly.

2. Since 1949, there has been no comprehensive review of the methods and procedures of the Assembly, although certain studies of limited aspects thereof have been undertaken, such as methods and procedures for dealing with legal and drafting questions, and the question of the correction of votes in the General Assembly and its Committees.

3. The membership of the United Nations has almost doubled since the last comprehensive review was undertaken, and such a review has, in the opinion of

the Governments requesting the inscription of this item, now become a matter of urgency. The length of the sessions of the Assembly have been increasing, and this problem has been heightened at this session by the admission of so many new Members. If the increase in the length of sessions continues, the point may be reached where many Governments will find it impossible to maintain a full delegation throughout those sessions.

4. To remedy this situation, the Governments concerned believe that steps should be taken at this session of the Assembly with a view to initiating a thorough study of the methods and procedures of the Assembly and of ways for expediting the work of the Assembly, including the use of mechanical and technical processes for voting. The purpose of initiating this study now would be to enable the General Assembly to give adequate consideration to this important matter at its sixteenth regular session.

5. For the above reasons, the Governments submitting this memorandum request the inscription of an item entitled "Review of the methods and procedures of the General Assembly" on the agenda of the present session as an important and urgent matter.

## DOCUMENT A/4634

## Third report of the General Committee

[Original text: English]  
[14 December 1960]

1. The General Committee, at its 132nd meeting on 10 December 1960, considered the situation resulting from the current state of the work of the fifteenth session of the General Assembly, according to which it would be impossible to complete consideration of the items on the agenda by 17 December, the date previously fixed by the Assembly as the closing date for the session.

2. After a discussion concerning the most suitable date for recessing the session and for reconvening it, the General Committee voted on proposals for recommendations to the Assembly on (a) the date of the recess, and (b) the date for the resumption of the session.

3. The Committee rejected by a roll-call vote of 9 to 9, with 2 abstentions, a proposal by the Union of Soviet Socialist Republics for the recess on 21 December. The voting was as follows:

*In favour:* Bulgaria, Ceylon, Iraq, Libya, Pakistan, Romania, Sudan, Union of Soviet Socialist Republics, Yugoslavia.

*Against:* Canada, China, Costa Rica, France, Haiti, Italy, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

*Abstaining:* Japan, Panama.

4. The General Committee then adopted by 9 votes to 6, with 5 abstentions, a proposal by Ceylon to recommend to the General Assembly that it adjourn for the recess on 20 December.

5. The General Committee then voted on proposals for the date of resumption of the session. It rejected by 11 votes to 5, with 4 abstentions, a proposal of the Union of Soviet Socialist Republics that it recommend to the Assembly that the session be resumed on 23 January 1961, and adopted by 10 votes to 3, with 7 abstentions, a proposal of Italy that the date for the resumption should be 7 March. The Committee, therefore, did not vote on a Costa Rican proposal that the date for resuming the session should be 20 February.

6. The question was raised of the Committee making a recommendation to the General Assembly for a new closing date for the session. The President suggested that this question might be left to the Assembly to decide after reconvening. It was understood, however, that the Committee, in recommending dates for a recess and for a resumption of the fifteenth session, was, *ipso facto*, recommending to the Assembly a reversal of the previous decision to fix 17 December as the closing date of the session.

7. The General Committee, therefore, recommends to the General Assembly:

(a) That it recess the fifteenth session on 20 December 1960;

(b) That it resume the fifteenth session on 7 March 1961.

8. The General Committee, at its 133rd meeting on 14 December 1960, considered a request by Bolivia, Costa Rica and the United Kingdom of Great Britain and Northern Ireland (A/4616) for the inclusion in the agenda of the fifteenth session of an additional item

entitled: "Review of the methods and procedures of the General Assembly".

9. Following a proposal by the representative of Romania under rule 117 of the rules of procedure, the

General Committee decided, after discussion, to adjourn the debate, on the understanding that the question of the inclusion of the proposed item would remain on the Committee's agenda and would be considered at the beginning of the resumed fifteenth session.

## DOCUMENT A/4714

### Fourth report of the General Committee

[Original text: English]  
[22 March 1961]

1. The General Committee at its 134th meeting on 22 March 1961 considered a memorandum by the Secretary-General (A/BUR/153/Add.1) relating to the closing date of the fifteenth session of the General Assembly. The Committee, without objection, decided to recommend to the General Assembly, as suggested by the Secretary-General, that 21 April 1961 be fixed as the closing date of the session.

2. The Committee then considered a memorandum by the Secretary-General (A/BUR/152/Add.2) listing three additional items proposed for inclusion in the agenda of the fifteenth session. These were:

(a) Review of the methods and procedures of the General Assembly: item proposed by Bolivia, Costa Rica and the United Kingdom of Great Britain and Northern Ireland (A/4616);

(b) Agreement on relationship between the United Nations and the International Development Association: item proposed by the Economic and Social Council (A/4683);

(c) Situation in Angola: item proposed by Afghanistan, Burma, Cambodia, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Somalia, Sudan, Togo, Tunisia, United Arab Republic, Upper Volta and Yemen (A/4712 and Add.1).

3. In connexion with item (a), the representative of the United Kingdom stated that the sponsors did not

now press for the inclusion of the item in the agenda of the current session.

4. The Committee decided without objection to recommend to the General Assembly that item (b) be included in the agenda and be discussed in plenary meeting without reference to a Committee.

5. In connexion with item (c), the representative of Portugal was invited to the Committee table and made a statement. The Committee decided without objection to recommend that the item be included in the agenda. The representative of Japan proposed that the General Committee recommend that the item be discussed in plenary meeting without reference to a Committee. The representative of the United States proposed that the General Committee recommend that the item be allocated to a Committee and suggested that it might be allocated to the Special Political Committee. The General Committee, by 10 votes to none, with 9 abstentions, adopted the proposal of the representative of Japan.

6. The General Committee therefore recommends to the General Assembly:

(a) That the closing date of the fifteenth session be 21 April 1961;

(b) That the item "Agreement on relationship between the United Nations and the International Development Association" be placed on the agenda and discussed in plenary meeting without reference to a Committee;

(c) That the item "Situation in Angola" be placed on the agenda and discussed in plenary meeting without reference to a Committee.

## DOCUMENT A/L.311

### Union of Soviet Socialist Republics: draft resolution

[Original text: Russian]  
[30 September 1960]

*The General Assembly,*

*Having examined* the first report of the General Committee on the adoption of the agenda of the fifteenth regular session, allocation of items and organization of the session (A/4520),

*Decides* to allocate to plenary meeting the following item on the agenda of the session:

"Disarmament and the situation with regard to the fulfilment of General Assembly resolution 1378 (XIV) of 20 November 1959 on the question of disarmament".

**DOCUMENT A/L.312****Union of Soviet Socialist Republics: draft resolution**

[Original text: Russian]  
[30 September 1960]

*The General Assembly,*

*Having examined* the first report of the General Committee on the adoption of the agenda of the fifteenth regular session, allocation of items and organization of the session (A/4520),

*Decides* to allocate to plenary meeting the following item on the agenda of the session:

“Declaration on the granting of independence to colonial countries and peoples”.

**DOCUMENT A/L.312/REV.1****Union of Soviet Socialist Republics: amendment to the recommendation of the General Committee (A/4520, para. 18)**

[Original text: Russian]  
[12 October 1960]

Include among the questions allocated to plenary meeting of the Assembly the following item on the agenda of the session:

“Declaration on the granting of independence to colonial countries and peoples”,

and remove this item from the list of questions allocated to the First Committee (item 10).

**DOCUMENT A/L.313****Union of Soviet Socialist Republics: draft resolution**

[Original text: Russian]  
[30 September 1960]

*The General Assembly,*

*Having examined* the first report of the General Committee on the adoption of the agenda of the fifteenth regular session, allocation of items and organization of the session (A/4520),

*Decides* to allocate to plenary meeting the following item on the agenda of the session:

“Complaint of the Union of Soviet Socialist Republics about a menace to world peace created by aggressive actions of the United States of America against the Union of Soviet Socialist Republics”.

**DOCUMENT A/L.313/REV.1****Union of Soviet Socialist Republics: amendment to the recommendation of the General Committee (A/4520, para. 18)**

[Original text: Russian]  
[12 October 1960]

Include among the questions allocated to plenary meeting of the Assembly the following item on the agenda of the session:

“Complaint of the Union of Soviet Socialist Republics about a menace to world peace created by aggressive actions of the United States of America against the Union of Soviet Socialist Republics”,

and remove this item from the list of questions allocated to the First Committee (item 8).

**DOCUMENT A/L.314****Nepal: amendments to the draft resolution submitted by the General Committee (A/4520, para. 10)**

[Original text: English]  
[30 September 1960]

1. In paragraph 1, for the word "reject", substitute the words "accede to".
2. Delete paragraph 2.

**DOCUMENT A/L.315****Guinea: amendment to the draft resolution submitted by the General Committee (A/4520, para. 10)**

[Original text: French]  
[1 October 1960]

Amend paragraph 2 of the draft resolution to read as follows:

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

**DOCUMENT A/L.315/REV.1****Guinea: amendment to document A/L.314**

[Original text: French]  
[3 October 1960]

Add the following to the second amendment presented by Nepal (A/L.314):  
"and replace it by:

"*'Decides* to consider at its fifteenth session any proposal to seat representatives of the People's Republic of China'."

**DOCUMENT A/L.321****Cuba: amendment to the recommendation of the General Committee (A/4549, para. 3)**

[Original text: Spanish]  
[31 October 1960]

*The General Assembly,*

*Having examined* the second report of the General Committee concerning the allocation of additional items approved for inclusion in the agenda of the fifteenth session (A/4549).

*Decides* to consider the following agenda item in plenary meeting:

"Complaint by the Revolutionary Government of Cuba regarding the various plans of aggression and acts of intervention being executed by the Government of the United States of America against the Republic of Cuba, constituting a manifest violation of its territorial integrity, sovereignty and independence, and a clear threat to international peace and security."

**DOCUMENT A/L.329****Bulgaria: amendment to the recommendation of the General Committee (A/4634, para. 7)**

[Original text: French]  
[14 December 1960]

In paragraph 7 (b), replace the words "7 March" by the words "23 January".

## ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 881st plenary meeting, on 1 October 1960, at its 898th plenary meeting, on 10 October 1960, at its 900th plenary meeting, on 11 October 1960, at its 904th plenary meeting, on 13 October 1960, at its 909th plenary meeting, on 31 October 1960, and at its 966th plenary meeting, on 23 March 1961, the General Assembly adopted the agenda of its fifteenth session. For the final text of the agenda, see *Official Records of the General Assembly, Fifteenth Session, Plenary Meetings*, prefatory fascicle; for the allocation of agenda items, see *ibid.*, *Fifteenth Session, Supplement No. 16*, p. ix, and *Supplement No. 16A*, p. v.

At its 895th plenary meeting, on 8 October 1960, the General Assembly adopted the draft resolution submitted by the General Committee (A/4520, para. 10). For the final text, see resolution 1493 (XV) below.

### Resolution adopted by the General Assembly

1493 (XV). REPRESENTATION OF CHINA IN THE UNITED NATIONS

#### *The General Assembly*

1. *Decides* to reject the request of the Union of Soviet Socialist Republics (A/4474) for the inclusion in the agenda of its fifteenth regular session of the item entitled "Representation of China in the United Nations";

2. *Decides* not to consider, at its fifteenth regular session, any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China.

*895th plenary meeting,  
8 October 1960.*

## CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of item 8 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/1534	Request for the inclusion of an additional item in the agenda of the fifth session: letter dated 17 November 1950 from the Chairman of the delegation of El Salvador addressed to the President of the General Assembly	<i>Official Records of the General Assembly, Fifth Session, Annexes</i> , agenda item 8
A/1549	Request by the delegation of El Salvador for the inclusion of an additional item in the agenda of the fifth session: note by the Secretary-General	<i>Ibid.</i>
A/3251	Hungary: request for the inclusion of an additional item in the agenda of the General Assembly	<i>Ibid.</i> , <i>Second Emergency Special Session, Annex</i> , agenda item 5
A/3592	Report of the Special Committee on the Problem of Hungary	<i>Ibid.</i> , <i>Eleventh Session, Supplement No. 18</i>
A/4219	Declaration of the Soviet Government on general and complete disarmament	<i>Ibid.</i> , <i>Fourteenth Session, Annexes</i> , agenda item 70
A/4374/Rev.1	Letter dated 2 June 1960 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General	<i>Ibid.</i> , <i>Fifteenth Session, Annexes</i> , agenda items 67, 86, 69 and 73
A/4385	Union of Soviet Socialist Republics: request for the inclusion of an item in the provisional agenda of the fifteenth session	<i>Ibid.</i>
A/4395	Letter dated 23 June 1960 from the Federal Minister for Foreign Affairs of Austria, addressed to the Secretary-General	<i>Ibid.</i> , agenda item 68
A/4414	India: request for the inclusion of an item in the provisional agenda of the fifteenth session	<i>Ibid.</i> , agenda items 67, 86, 69 and 73
A/4416	India: request for the inclusion of an item in the provisional agenda of the fifteenth session	<i>Ibid.</i> , agenda item 70
A/4417	Pakistan: request for the inclusion of an item in the provisional agenda of the fifteenth session	<i>Ibid.</i>
A/4418 and Add.1	Afghanistan, Burma, Ceylon, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Philippines, Saudi Arabia, Sudan, Tunisia, United Arab Republic and Yemen: request for the inclusion of an item in the provisional agenda of the fifteenth session	<i>Ibid.</i> , agenda item 71

Document No.	Title	Observations and references
A/4419 and Add.1 and 2	Afghanistan, Brazil, Burma, Cambodia, Ceylon, Cuba, Denmark, El Salvador, Ethiopia, Federation of Malaya, Ghana, Guinea, Haiti, Iceland, India, Indonesia, Iran, Iraq, Ireland, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Norway, Pakistan, Panama, Philippines, Saudi Arabia, Sudan, Sweden, Thailand, Tunisia, United Arab Republic, Uruguay, Venezuela, Yemen and Yugoslavia: request for the inclusion of an item in the provisional agenda of the fifteenth session	<i>Ibid.</i> , agenda item 72
A/4434	Ireland: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda items 67, 86, 69 and 73
A/4439	Cuba: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda items 12, 29, and 74
A/4440	Romania: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 75
A/4442	Romania: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 76
A/4443	Czechoslovakia: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 77
A/4444	Federation of Malaya and Thailand: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 78
A/4445 and Add.1	Morocco: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 79
A/4446	Union of Soviet Socialist Republics: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 80
A/4447	United States of America: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 81
A/4448	Secretary-General: request for the inclusion of a supplementary item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 84
A/4463	Letter dated 26 August 1960 from the Chairman of the Disarmament Commission to the Secretary-General	<i>Ibid.</i> , agenda items 67, 86, 69 and 73
A/4464	Report of the Committee on South West Africa	<i>Ibid.</i> , Fifteenth Session, Supplement No. 12
A/4495	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the fifteenth session	<i>Ibid.</i> , Fifteenth Session, Annexes, agenda item 85
A/4500	Inclusion of an additional item in the agenda of the fifteenth session: note by the Secretary-General	<i>Ibid.</i> , agenda item 86
A/4501	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 87
A/4502	Draft declaration on the granting of independence to colonial countries and peoples, submitted by the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics at the 869th plenary meeting of the General Assembly	<i>Ibid.</i> , agenda item 87
A/4505	Basic provisions of a treaty on general and complete disarmament: proposal submitted on 23 September 1960 by the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics	<i>Ibid.</i> , agenda items 67, 86, 69 and 73
A/4509	Letter dated 26 September 1960 from the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics to the President of the General Assembly, transmitting a draft resolution	<i>Ibid.</i>
A/4515 and Add.1	United States of America: request for the inclusion of an additional item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 88
A/4521	Iraq, Jordan, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Tunisia, United Arab Republic and Yemen: request for the inclusion of an additional item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 89
A/4522	Letter dated 29 September 1960 from the President of Ghana, the Prime Minister of India, the President of Indonesia, the President of the United Arab Republic and the President of Yugoslavia to the President of the General Assembly, transmitting a draft resolution	<i>Ibid.</i> , agenda item 9
A/4537	Letter dated 12 October 1960 from the representative of the United States of America to the Secretary-General, transmitting the reply of the United States Government to allegations made in the United Nations against the United States by Mr. Fidel Castro, Prime Minister of Cuba	Mimeographed
A/4543	Cuba: request for the inclusion of an additional item in the agenda of the fifteenth session	<i>Official Records of the General Assembly, Fifteenth Session, Annexes</i> , agenda item 90
A/4647	Revised estimates for sections 3, 4, 5, 9 and 11. Resumed session of the General Assembly: report of the Secretary-General	<i>Ibid.</i> , agenda item 50
A/4683	Economic and Social Council: request for the inclusion of an additional item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 91
A/4712 and Add.1	Afghanistan, Burma, Cambodia, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Somalia, Sudan, Togo, Tunisia, United Arab Republic, Upper Volta and Yemen: request for the inclusion of an additional item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 92

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4719	Interim report of the Fifth Committee	<i>Ibid.</i> , agenda items 49/50
A/C.1/L.249	Union of Soviet Socialist Republics: draft resolution	<i>Ibid.</i> , agenda item 67
A/C.4/L.628	Guinea: draft resolution	<i>Ibid.</i> , <i>Fourteenth Session, Annexes</i> , agenda item 36, document A/4343, para. 60
A/L.317	Ghana, India, Indonesia, United Arab Republic and Yugoslavia: revised draft resolution	<i>Ibid.</i> , <i>Fifteenth Session, Annexes</i> , agenda item 9



**Agenda item 9: General debate\***

**C O N T E N T S**

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
A/4522	Letter dated 29 September 1960 from the President of Ghana, the Prime Minister of India, the President of Indonesia, the President of the United Arab Republic and the President of Yugoslavia to the President of the General Assembly, transmitting a draft resolution	1
A/4529	Letter dated 4 October 1960 from the Chairman of the delegation of the United States of America to the Secretary-General, transmitting the text of letters from the President of the United States of America, to the President of Ghana, the Prime Minister of India, the President of Indonesia, the President of the United Arab Republic and the President of Yugoslavia	2
A/4532	Letter dated 5 October 1960 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the President of the General Assembly	3
A/L.316	Australia: amendment to the draft resolution contained in document A/4522	4
A/L.317	Ghana, India, Indonesia, United Arab Republic and Yugoslavia: revised draft resolution	5
<b>Action taken by the General Assembly</b>		5

\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Plenary Meetings*, 868th to 880th, 882nd, 883rd, 885th to 892nd, 896th, 897th, 899th, 901st, and 904th to 907th meetings.

**DOCUMENT A/4522**

**Letter dated 29 September 1960 from the President of Ghana, the Prime Minister of India, the President of Indonesia, the President of the United Arab Republic and the President of Yugoslavia to the President of the General Assembly, transmitting a draft resolution**

[*Original text: English*]  
[30 September 1960]

In view of the present tension in international relations and confident that the Members of the United Nations are keenly desirous to reduce this tension and pave the way for the promotion of further efforts for peace, we have the honour to enclose a draft resolution in this regard, requesting that it be submitted to the fifteenth session of the General Assembly of the United Nations, for immediate consideration.

We shall be grateful if the text of this letter together with the enclosed draft resolution could be circulated among the Members of the United Nations as an official document.

(*Signed*)

Kwame NKRUMAH  
*President of Ghana*

Jawaharlal NEHRU  
*Prime Minister of India*

SUKARNO  
*President of Indonesia*

G. A. NASSER  
*President of the United Arab Republic*

J. B. TITO  
*President of Yugoslavia*

**DRAFT RESOLUTION**

*The General Assembly,*

*Deeply concerned* with the recent deterioration in international relations which threatens the world with grave consequences,

*Aware* of the great expectancy of the world that this Assembly will assist in helping to prepare the way for the easing of world tension,

*Conscious* of the grave and urgent responsibility that rests on the United Nations to initiate helpful efforts,

*Requests*, as a first urgent step, the President of the United States of America and the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics to renew their contacts interrupted recently, so that their declared willingness to find solutions of the outstanding problems by negotiation may be progressively implemented.

## DOCUMENT A/4529

**Letter dated 4 October 1960 from the Chairman of the delegation of the United States of America to the Secretary-General, transmitting the text of letters from the President of the United States of America to the President of Ghana, the Prime Minister of India, the President of Indonesia, the President of the United Arab Republic and the President of Yugoslavia**

[Original text: English]  
[4 October 1960]

I have the honour to request you to circulate as a General Assembly document the text of a letter dated 2 October 1960, from the President of the United States of America, Dwight D. Eisenhower, to the President of Ghana, the Prime Minister of India, the President of Indonesia, the President of the United Arab Republic and the President of Yugoslavia. President Eisenhower's letter was sent in response to a joint letter from the above-mentioned Heads of State, transmitting for his attention the text of the draft resolution which is shortly to come under consideration directly in plenary.

(Signed) James J. WADSWORTH  
*Chairman of the Delegation of  
the United States of America*

TEXT OF PRESIDENT EISENHOWER'S LETTERS TO PRESIDENT NKRUMAH, PRIME MINISTER NEHRU, PRESIDENT SUKARNO, PRESIDENT NASSER AND PRESIDENT TITO

I have received your letter of 29 September, informing me of your intention to submit to the current session of the General Assembly a resolution calling for a meeting between the Chairman of the Council of Ministers of the USSR and myself. I assure you again that I share the concern expressed in this communication over the present state of international relations, and I understand and sympathize with the motives which led you to propose this step.

As President of the United States I have sought on every occasion to explore to the full any possibility for the resolution of outstanding international questions by negotiation.

Following the refusal last May of the Soviet Government to participate in the long-awaited Summit Conference which was to deal with certain of these questions, especially disarmament and problems arising out of the war, the President of France, the Prime Minister of the United Kingdom and I issued a declaration which stated: "They remain unshaken in their conviction that all outstanding international questions should be settled not by the use or threat of force but by peaceful means through negotiation. They themselves remain ready to take part in such negotiations at any suitable time in the future." Speaking for the United States this statement still holds good.

I have at no time utilized any threats whatsoever with reference to any international question. This is, I am sure you will agree, a matter of historical record.

On the other hand, the Soviet Union far from following a comparable policy of restraint appears to have undertaken with deliberate intent a policy of increasing tension throughout the world and in particular of damaging relations with the United States.

Instead of avoiding threats of the use of force, the Soviet Government has threatened rocket retaliation against many Members of the United Nations including the United States on the pretext of contrived and imaginary intentions on the part of these countries. While these threats have necessarily only strengthened our resolve to maintain our readiness to deter and to resist any aggression, they have nevertheless caused uneasiness throughout the world.

The Soviet Government has refused any thought of an impartial international body to investigate the shooting down on 1 July of an aircraft of the United States Air Force, and is still holding incommunicado two members of its crew.

The Soviets have unilaterally disrupted the ten-nation disarmament talks in Geneva with full knowledge that the Western Powers there represented were about to submit new proposals which took into account those made earlier by the Soviet Union.

I believe that a comparison of the international behaviour of the participants of the Paris meeting since its collapse demonstrates where the responsibility lies for the increase of international tension and the failure to make any progress in the solution of outstanding problems.

I reiterate what I said in my speech before the General Assembly on 22 September: The United States is always ready to undertake serious negotiations with the Soviet Union and other interested countries on any unresolved international question, and especially in the field of disarmament. I also pointed out that there are needs for great constructive action, for which I have made proposals to the General Assembly, that are primary in their importance to the peace and progress of major areas of the world. However, the chief problems in the world today are not due to differences between the Soviet Union and the United States alone, and therefore are not possible of solution on a bilateral basis.

The questions which are disrupting the world at the present time are of immediate and vital concern to other nations as well. The importance of these matters is such as to go beyond personal or official relations between any two individuals, and I have many times personally

pledged myself, regardless of every kind of personal consideration, to meet with anyone at any time if there is any serious promise of productive results. There is nothing in the words or actions of the Government of the Soviet Union which gives me any reason to believe that the meeting you suggest would hold any such promise. I would not wish to participate in a mere gesture which in present circumstances might convey a thoroughly misleading and unfortunate impression to the peoples of the world.

If the Soviet Union seriously desires a reduction in tensions it can readily pave the way for useful negotia-

tions by actions in the United Nations and elsewhere. If Soviet representatives should wish to discuss concrete measures to reduce tensions, my representatives, including the Secretary of State, are always available for this purpose. Should such exploratory discussions reveal that the Soviet Union is prepared to return to the path of peaceful negotiation with some prospect of fruitful results then I personally would be prepared to meet and negotiate with the representative of the Soviet Government and with the Heads of other Governments as their interests were involved.

Dwight D. EISENHOWER

## DOCUMENT A/4532

### Letter dated 5 October 1960 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics to the President of the General Assembly

[Original text: Russian]  
[5 October 1960]

I have the honour to request that the reply dated 3 October 1960 of Mr. N. Khrushchev, Chairman of the Council of Ministers of the Union of Soviet Socialist Republics, to the letter dated 29 September 1960 from the President of Ghana, the Prime Minister of India, the President of Indonesia, the President of the United Arab Republic and the President of Yugoslavia be circulated as an official document of the General Assembly.

(Signed) A. GROMYKO

*Minister for Foreign Affairs  
of the Union of Soviet  
Socialist Republics*

LETTER FROM MR. N. KHRUSHCHEV, CHAIRMAN OF THE COUNCIL OF MINISTERS OF THE UNION OF SOVIET SOCIALIST REPUBLICS, TO PRESIDENT KWAME NKRUMAH OF GHANA

The Soviet Government, and I myself, as Chairman of the Council of Ministers of the USSR, have the highest regard for the motives which have prompted you, together with the President of Indonesia, the President of the United Arab Republic, the President of Yugoslavia and the Prime Minister of India, to communicate an appeal and a draft resolution to the President of the United States of America and to me, expressing the wish that the President and I should resume contact in order to discuss the problems which at present overshadow the international situation and find a solution to these problems by negotiation. This appeal goes to prove once again that the present state of international affairs is far from normal, and that the international situation, and particularly the relations between the Soviet Union and the United States of America, is viewed with justifiable concern by many countries and leading statesmen.

The Soviet Government has always maintained, and still maintains, the view that outstanding international problems, including those pertaining to relations between the USSR and the United States, should, and indeed can, be resolved by peaceful means, through negotiation, given a desire for this on the part of the States concerned. In accordance with this view, the USSR Government urged the need for the discussion of these problems at the highest level, believing that no improvement in the international situation and no solution of outstanding problems, particularly that of disarmament—so as to end

the senseless waste of immense material resources and human endeavour on the production of weapons of destruction—could be achieved without the adoption of most radical decisions on the basis of agreement between leading statesmen. Precisely for this reason, the Soviet Government insisted on the need for a summit meeting, and expressed the hope that such a meeting would bring about a decisive turn in international affairs towards a lasting peace and the elimination of the present conflicts between States.

What happened after agreement was reached on a summit meeting is now common knowledge. Just when the peoples, including that of the Soviet Union, were hopefully awaiting constructive results from that meeting, the United States Government, literally on the eve of the meeting, embarked on the policy of perfidy exemplified by such aggressive acts as the violation of the USSR's national frontiers by United States U-2 military aircraft. As we know, the United States Government, through the President himself and the Secretary of State, confirmed that these acts, as also the subsequent further violation of the USSR's national frontier by a United States RB-47 military aircraft, were the expression of a definite "premeditated policy" of the United States. It was also confirmed that the United States Government, and President Eisenhower himself, do not intend to renounce this policy and are in fact still pursuing it.

The United States Government has not only failed to give any satisfaction to the Soviet Union, which has been the victim of a gross violation of its sovereignty by United States aircraft, but has also repeatedly reaffirmed this treacherous policy, although it amounts to an unheard-of and unprecedented infringement of the very foundations of international law and the sacred principle of respect for national sovereignty. By so doing, the United States Government has clearly placed itself in a difficult position to undertake honest negotiations with the Soviet Union. And the President of the United States too, as a result of the policy I have referred to, has clearly placed himself personally in a difficult position to undertake any contacts with the Head of the Soviet Government which could be likely to produce positive results.

It is quite obvious that any attempts by the side which has adopted this policy of bad faith to put forward preliminary conditions of any kind for the initiation of

such contacts can only go to prove once again that the present Government of the United States has no serious intentions of seeking solutions to the conflicts dividing States by means of negotiations founded on mutual respect for the interests of the participants. They also go to prove what little importance the United States Government attaches to the desires of other States to make their contribution to the relaxation of tension in relations between the great Powers. It is clear that the positions of two such Powers as the USSR and the United States are of paramount importance for the future development of international relations. Nevertheless, the active role of other States, great and small, and of the United Nations as a whole in the settlement of outstanding problems can in no way be underestimated.

The responsibility for the present situation rests with the Government of the United States, and with that Government alone. I am deeply convinced that no statesman who is capable of judging this situation objectively can fail to see who is setting up obstacles to the resumption of contacts between the leading statesmen of the Soviet Union and the United States with a view to the settlement of the questions which are causing the tension in international relations to which you refer in your letter and your draft resolution.

At present, however, the position is that the United States Government has not only failed to condemn the actions to which I have referred—even though President Eisenhower himself declared in Paris that he had given instructions for the despatch of United States aircraft into Soviet territory to be suspended for the duration of his term in the White House—but is continuing to pursue an avowedly aggressive line of foreign policy. This alone can explain why President Eisenhower, in his statement in the General Assembly and his letter of reply to your communication, passed over in silence the question of the despatch of United States U-2 military aircraft into Soviet territory, and spoke of the United States RB-47 aircraft, which, as is known, carried out its flight after the breakdown of the summit meeting and after President Eisenhower's statement that flights of this kind by United States aircraft into Soviet territory were to be suspended.

It is self-evident that if the United States Government continues in the future to follow this policy, no self-respecting State which is concerned for the inviolability of its sovereignty and for its security will be able in these circumstances to feel any confidence in state-

ments by the United States Government of its desire to improve relations between the USSR and the United States. The same also applies entirely to the problem of disarmament, seeing that United States policy on disarmament problems is clearly aimed at the break-down of any fruitful disarmament negotiations and is predicated not on the need for disarmament under strict international control, but on the establishment of control over armament, that is, on the establishment under the United Nations flag of a legalized system of international espionage.

The Soviet Government does not live in the past alone. It also looks to the future. However tense the relations between the Soviet Union and the United States may be, they can be improved if leading statesmen rise above any personal prejudices and sentiments of hostility and shape their actions in the light of the great responsibility they bear for the destinies of the world. The present deterioration in relations between the USSR and the United States can, the Soviet Government is firmly convinced, be overcome. However, this presupposes a clear recognition of the causes of the deterioration. It must be recognized clearly that the cause was the unprecedented, perfidious actions of the United States Government, which has embarked on a policy of carrying out provocative and aggressive acts against the Soviet Union. In other words, we are prepared to enter into contact and into negotiations with the President and the Government of the United States, assuming that the United States Government can summon up the courage to condemn the acts I have referred to, acts which have brought about the deterioration in relations between the Soviet Union and the United States, and shows by deeds its will to improve these relations.

Such are the views which the Soviet Government has felt it necessary to express in reply to the letter addressed to the President of the United States and to me by the leading statesmen of five countries.

(Signed) N. KHRUSHCHEV  
Chairman of the Council of Ministers  
of the USSR

Identical letters have also been sent to Mr. Jawaharlal Nehru, Prime Minister of India, Mr. Sukarno, President of Indonesia, Mr. Gamal Abdel Nasser, President of the United Arab Republic, and Mr. Josip Broz-Tito, President of the Federal People's Republic of Yugoslavia.

## DOCUMENT A/L.316

### Australia: amendment to the draft resolution contained in document A/4522

[Original text: English]  
[3 October 1960]

Replace the last paragraph by the following:

*"Recalling* that a Conference between the President of the United States of America, the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics, the President of the French Republic and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland was arranged to take place in Paris on 17 May 1960, in order that these four leaders should examine matters of particular and major concern for their four nations,

*"Recalling further* that the Conference did not actually begin its work,

*"Noting* that the President of the United States of America, the President of the French Republic and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland thereupon made a public statement in the following terms:

*"They regret* that these discussions, so important for world peace, could not take place. For their part, they remain unshaken in their conviction that all outstanding international questions should be settled not by the use or threat of force, but by peaceful means through negotiation. They themselves remain ready to

take part in such negotiations at any suitable time in the future',

"*Believing* that much benefit for the world could arise from a co-operative meeting of the Heads of Government of these four nations in relation to those problems which particularly concern them,

"*Believing further* that progress towards the solution of those problems would be a material contribution to the general work for peace of the United Nations,

"*Urges* that such a meeting should be held at the earliest practicable date."

## DOCUMENT A/L.317

### Ghana, India, Indonesia, United Arab Republic and Yugoslavia: revised draft resolution<sup>1</sup>

[Original text: English]  
[5 October 1960]

*The General Assembly,*

*Deeply concerned* with the recent deterioration in international relations which threatens the world with grave consequences,

*Aware* of the great expectancy of the world that this Assembly will assist in helping to prepare the way for the easing of world tension,

*Conscious* of the grave and urgent responsibility that rests on the United Nations to initiate helpful efforts,

*Expresses the hope* that, as a first urgent step, the President of the United States of America and the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics renew their contacts interrupted recently, so that their declared willingness to find solutions of the outstanding problems by negotiation may be progressively implemented.

<sup>1</sup> Revised version of the draft resolution contained in document A/4522. At the 889th plenary meeting on 5 October 1960, this revised draft resolution was withdrawn.

## ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 907th plenary meeting on 17 October 1960, the General Assembly unanimously adopted the draft resolution submitted by Austria, Bolivia, Burma, Cambodia, Ceylon, Ecuador, Ethiopia, Finland, Ghana, Guinea, India, Indonesia, Iraq, Lebanon, Libya, Mexico, Morocco, Nepal, Nigeria, Panama, Saudi Arabia, Somalia, Sudan, Tunisia, United Arab Republic, Venezuela, Yemen and Yugoslavia (A/L.320 and Add.1-6). For the final text, see resolution 1495 (XV) below.

### Resolution adopted by the General Assembly

1495 (XV). CO-OPERATION OF MEMBER STATES

*The General Assembly,*

*Deeply concerned* by the increase in world tensions,

*Considering* that the deterioration in international relations constitutes a grave risk to world peace and co-operation,

*Conscious* that both in the General Assembly and in the world at large it is necessary to arrest this trend in international relations and to contribute towards greater harmony among nations irrespective of the differences in their political and economic systems,

1. *Urges* that all countries, in accordance with the Charter of the United Nations, refrain from actions likely to aggravate international tensions;

2. *Reaffirms the conviction* that the strength of the United Nations rests on the co-operation of its Member States which should be forthcoming in full measure so that the Organization becomes a more effective instrument for the safeguarding of peace and for the promotion of the economic and social advancement of all peoples;

3. *Urges further* that immediate and constructive steps should be adopted in regard to the urgent problems concerning the peace of the world and the advancement of its peoples;

4. *Appeals* to all Member States to use their utmost endeavours to these ends.

907th plenary meeting,  
17 October 1960.



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**Agenda item 11: Report of the Security Council\***

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**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 943rd plenary meeting, on 12 December 1960, the General Assembly adopted the draft resolution submitted by Argentina and Ceylon (A/L.326). For the final text, see resolution 1513 (XV) below.

**Resolution adopted by the General Assembly**

1513 (XV). REPORT OF THE SECURITY COUNCIL

*The General Assembly*

*Takes notes* of the report of the Security Council to the General Assembly covering the period from 16 July 1959 to 15 July 1960 (A/4494).

*943rd plenary meeting,  
12 December 1960.*

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**CHECK LIST OF DOCUMENTS**

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4494	Report of the Security Council to the General Assembly (16 July 1959 — 15 July 1960)	<i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 2</i>
A/L.326	Argentina and Ceylon: draft resolution	Adopted without change. See above "Action taken by the General Assembly", resolution 1513 (XV). The text of the resolution appears also in <i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 16</i>

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Plenary Meetings*, 943rd meeting.



Agenda item 12: Report of the Economic and Social Council\* 1

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DOCUMENT A/C.3/L.845

Report of the Economic and Social Council (chapter VII, section II, paragraph 645)

Note by the Secretariat

[Original text: English]  
[13 October 1960]

1. At the 989th meeting of the Third Committee, the Secretariat was requested to provide background information relating to the draft resolution submitted to the General Assembly by the Economic and Social Council under the title of "Consultation with the specialized agencies" (see A/4415, para. 645). Such information, in summary form, is given below.

2. At its eleventh session, the Economic and Social Council adopted resolution 324 B (XI) of 9 August 1950, in which it noted General Assembly resolution 310

\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Third Committee*, 982nd to 999th meetings and 1047th meeting; *Fifth Committee*, 822nd meeting; *Sixth Committee*, 681st to 686th meetings; and *ibid.*, *Plenary Meetings*, 943rd and 954th meetings.

<sup>1</sup> Chapter II, III, IV and VII (section II, paragraph 645) of the report of the Economic and Social Council were allocated to the Second Committee and were considered jointly with agenda items 29 (Economic development of under-developed countries) and 74 (Land reform). For the relevant documents, see the annex fascicle on agenda items 12, 29 and 74.

(IV) on the problem of proliferation and overlapping of the programmes of the United Nations and of the specialized agencies, and expressed its conviction that the co-ordination of the projects of the United Nations and specialized agencies at the point of their initiation was essential to the effective concentration of effort and available resources advocated in the above resolution of the Assembly. The Council requested the Secretary-General, through the Administrative Committee on Co-ordination, to enlist the co-operation of the executive heads of the specialized agencies concerned in making suitable arrangements to ensure: (a) that, in so far as possible, all proposals for surveys, meetings or programmes which concerned more than one organization should be the subject of inter-agency consultation prior to their adoption by the competent Commissions, Councils or Assemblies concerned; and (b) that the results of this consultation should be put before the competent organs of the United Nations and the specialized agencies when they considered such projects; it further re-

quested the Secretary-General, through the Administrative Committee on Co-ordination, to suggest model rules of procedure to achieve these ends.<sup>2</sup>

3. In its ninth report to the Council,<sup>3</sup> in 1951, the Administrative Committee on Co-ordination accordingly presented a set of model rules designed to ensure that activities which might affect other organizations would not be decided upon until such consultation had taken place, and that this procedure would be made possible by the timely submission of items for consideration by various organs.

4. At its fourteenth session, in 1952, the Council incorporated a new rule (rule 80) into its revised rules of procedure relating to consultation by the Secretary-General with the agency or agencies concerned prior to inclusion of a proposal for new activities in the provisional agenda or the supplementary list of items for a session of the Council.<sup>4</sup> Rule 80 reads as follows:

"1. Where an item proposed for the provisional agenda or the supplementary list of items for a session contains a proposal for new activities to be undertaken by the United Nations relating to matters which are of direct concern to one or more specialized agencies, the Secretary-General shall enter into consultation with the agency or agencies concerned and report to the Council on the means of achieving co-ordinated use of the resources of the respective agencies.

"2. Where a proposal put forward in the course of a meeting for new activities to be undertaken by the United Nations relates to matters which are of direct concern to one or more specialized agencies, the

Secretary-General shall, after such consultation as may be possible with the representatives at the meeting of the other agency or agencies concerned, draw the attention of the meeting to these implications of the proposal.

"3. Before deciding on proposals referred to above, the Council shall satisfy itself that adequate consultations have taken place with the agencies concerned."<sup>5</sup>

5. Following the adoption of this rule by the Council, a similar rule was adopted by the governing organs of certain of the specialized agencies.

6. At its twenty-eighth session, in 1959, the Council decided to draw the attention of the General Assembly to the desirability of the Assembly's adopting a procedure similar to that outlined in rule 80 of the Council's rules of procedure.<sup>6</sup>

7. In its twenty-fourth report to the Council, in 1960, the Administrative Committee on Co-ordination recalled that the model rules of procedure formulated by it in 1951 had subsequently been used as a basis for new or amended rules of the Council itself (rule 80) and of the governing organs of certain of the specialized agencies, although not yet for those of the General Assembly. The Committee welcomed the Council's decision referred to in the preceding paragraph and noted that the Assembly had not acted upon the Council's recommendation.<sup>7</sup>

8. At its thirtieth session, in 1960, the Council recommended to the General Assembly the adoption of the draft resolution which is now before the Committee.<sup>8</sup>

<sup>2</sup> See also *Official Records of the General Assembly, Fifth Session, Supplement No. 3*, chap. IX, para. 389.

<sup>3</sup> *Official Records of the Economic and Social Council, Thirteenth Session, Annexes*, agenda item 39, document E/1991, para. 58 and annex II; see also *Official Records of the General Assembly, Sixth Session, Supplement No. 3*, chap. VIII, para. 996.

<sup>4</sup> Economic and Social Council resolution 456 A (XIV), annex, adopted on 29 July 1952; see also *Official Records of the General Assembly, Seventh Session, Supplement No. 3*, chap. I, para. 65.

<sup>5</sup> *Rules of procedure of the Economic and Social Council* (United Nations publication, Sales No.: 58.1.3), pp. 23-24.

<sup>6</sup> See Economic and Social Council resolution 743 (XXVIII), appendix, para. (b), adopted on 31 July 1959; see also *Official Records of the General Assembly, Fourteenth Session, Supplement No. 3*, chap. VII, para. 584.

<sup>7</sup> *Official Records of the Economic and Social Council, Thirtieth Session, Annexes*, agenda item 3, document E/3368, paras. 44-45.

<sup>8</sup> Economic and Social Council resolution 800 (XXX), adopted on 3 August 1960, on the recommendation of its Co-ordination Committee (E/3420); see also A/4415, para. 645.

## DOCUMENT A/C.5/841

### Letter dated 7 November 1960 from the Chairman of the Third Committee to the President of the General Assembly

[Original text: English]  
[11 November 1960]

1. In accordance with the procedure agreed to by the General Assembly, I have pleasure in giving you in this letter, with the request for transmittal to the Chairman of the Fifth Committee, a list of references to the records of the Third Committee which contain the views which were expressed by the members of the Third Committee on a question which has been referred by the General Assembly to the Fifth Committee, on the understanding that the relevant part of the report of the Economic and Social Council (section I of chapter VII) would be available also to the Third Committee.

2. During the consideration by the Third Committee of the report of the Economic and Social Council to the General Assembly (A/4415), statements on the subject "Programme appraisals in the economic, social and human rights fields" were made by the representatives of:

Peru (A/C.3/SR.983, paras. 13-14; and A/C.3/SR.992, para. 6);  
United Kingdom (A/C.3/SR.984, para. 13);  
New Zealand (A/C.3/SR.985, paras. 1-13);  
Indonesia (A/C.3/SR.987, paras. 21-22);  
Yugoslavia (A/C.3/SR.988, paras. 5-12);  
Netherlands (A/C.3/SR.988, paras. 21-26);  
Ireland (A/C.3/SR.988, para. 53);  
Romania (A/C.3/SR.989, paras. 13-16);  
United Arab Republic (A/C.3/SR.990, para. 36);  
Pakistan (A/C.3/SR.991, para. 12);  
Mexico (A/C.3/SR.991, para. 18);  
Israel (A/C.3/SR.992, para. 37);  
Iraq (A/C.3/SR.994, para. 8).

## DOCUMENT A/C.6/L.469\*\*

## Letter dated 2 November 1960 from the Chairman of the Third Committee to the Chairman of the Sixth Committee

[Original text: English]  
[4 November 1960]

1. In accordance with the procedure agreed to by the General Assembly, I have pleasure in sending you a compilation of the views which were expressed by the members of the Third Committee on paragraph 645 of section II of chapter VII of the report of the Economic and Social Council to the General Assembly (A/4415) which deals with the question of consultation with the specialized agencies (see annex).

2. You will recall that, in his memorandum of 14 September 1960 (A/BUR/152), submitted to the General Committee, the Secretary-General suggested in paragraph 8 that paragraph 645 of the report of the Economic and Social Council which included a draft resolution proposed by the Council for adoption by the General Assembly would be referred to the Second and Third Committees for any comments and then to the Sixth Committee for consideration and report. At its 130th meeting, on 28 September 1960, the General Committee took note of paragraph 8 of the Secretary-General's memorandum. At its 881st plenary meeting, on 1 October 1960, the General Assembly agreed to the allocation of the report of the Economic and Social Council to the various Committees on this understanding.

3. In a note on its agenda which I submitted to the Third Committee (A/C.3/L.844, para. 3), I drew the Committee's attention to paragraph 645 of the report of the Economic and Social Council and suggested that the Committee may wish its Chairman to prepare and to transmit—through the President of the General Assembly—to the Chairman of the Sixth Committee a short summary of the views which will have been expressed by members on this question. At various later occasions, the attention of the Third Committee was again drawn to this problem.

4. At the 989th meeting of the Committee, the Secretariat was requested to provide background information relating to the question under consideration and it did this in a note (A/C.3/L.845).

(Signed) Eduard MEZINCESCU  
Chairman of the Third Committee

## ANNEX

COMPILATION OF VIEWS EXPRESSED ON PARAGRAPH 645 OF THE  
REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (A/4415) BY  
MEMBERS OF THE THIRD COMMITTEE

The representative of Australia supported the draft resolution recommended by the Council in paragraph 645 of its report, since duplication of effort would be avoided if the General Assembly consulted the specialized agencies before adopting any project relating to matters with which they were directly concerned, and for which they had their own policies and budget arrangements (986th meeting, para. 16).

The representative of India was opposed to the draft resolution recommended by the Economic and Social Council and set out in paragraph 645 of its report. That draft resolution if adopted, would place subsidiary organs—the specialized agencies—in a position to curtail the initiative and powers of

the General Assembly and its Main Committees. His delegation was in favour of entering into consultation with the specialized agencies on matters which concerned them, but that should continue to be done as it had been in the past. Representatives of the specialized agencies were normally present in the Committee and it seemed entirely adequate that they should, as before, be consulted then and there. Moreover, the recommended draft resolution went even further than the Council's own rules. It was not in conformity with rule 80 of the rules of procedure of the Economic and Social Council (987th meeting, para. 13).

The representative of Romania said that the principal organ responsible for international co-operation was the General Assembly. There might be problems of co-ordination between the United Nations and its specialized agencies, but her delegation could not agree to any restriction of the powers of the General Assembly or of the initiative of Member States. It therefore could not support the draft resolution recommended in paragraph 645 of the Council's report (989th meeting, para. 17).

The representative of Cambodia stated that, at first glance, the draft resolution in paragraph 645 of the report would appear to encourage mutual understanding between the General Assembly, the Economic and Social Council and the specialized agencies and to improve their efficiency. In approving the spirit and principle of such co-operation, he had not expressed an opinion on the text of the draft resolution itself, but reserved the right to do so when the occasion arose (990th meeting, para. 41).

The representative of Pakistan said there was no doubt whatever about the need for the prior consultations referred to in paragraph 645 of the Council's report. The Pakistan delegation considered, however, that it would be worth while to ascertain whether the requirement of prior consultations would affect possible action by the Third Committee and whether it might hinder or prevent the adoption of important measures either by that Committee or by other organs of the General Assembly (991st meeting, para. 13).

The representative of Brazil thought that the proposal for prior consultations, made in paragraph 645 of the Economic and Social Council's report, was against the interests of the Committee (992nd meeting, para. 15).

The representative of Canada believed that the Third Committee should endorse the objective of the draft resolution recommended by the Economic and Social Council in paragraph 645 of its report, for it contained useful recommendations. Without taking up a rigid position on the wording of the proposed draft resolution, her delegation felt that the views of the Indian representative (987th meeting, para. 13) should be taken into account and that provision should be made for consultations with the specialized agencies to take place before the Assembly took final decisions on proposed projects (992nd meeting, para. 28).

The representative of Israel wished to make some comments on paragraph 645 of the Economic and Social Council's report. After thanking the Secretariat for having circulated the statement made by the Director of the Bureau of Social Affairs at the 982nd meeting (A/C.3/L.846) at the request of her delegation, she said that the work of the various United Nations bodies and the specialized agencies should be regarded as parts of a whole; to avoid overlapping and duplication of work, which was certainly regrettable, it was important to hold consultations with the specialized agencies. It remained necessary, however, to determine at what level and in what circumstances those consultations should take place. Perhaps the representatives of the specialized agencies, who followed the discussions held in the United Nations very closely, might be given an opportunity to consult the agency they represented, on the

\*\* Incorporating document A/C.6/L.469/Corr.1.

understanding that the results of those consultations should be collected in time for submission to the General Assembly before the end of the session. In conclusion, she expressed the hope that the draft resolution, if adopted by the General Assembly, would be worded unambiguously (992nd meeting, para. 42).

The representative of Saudi Arabia said that the legal aspects of the question would be studied by the Sixth Committee. There was, however, an important aspect that was not purely legal. The recommended procedure presented the danger that a body with a relatively limited membership and competence could block the initiative of the General Assembly or even take matters into its own hands. The Committee had already been confronted with a problem of that sort in connexion with the draft Declaration on Freedom of Information. He agreed with the Indian representative that consultation with the specialized agencies should continue to be carried out on the spot, and not through some more formal procedure (993rd meeting, para. 10).

The representative of Greece, referring to the consultation with the specialized agencies mentioned in paragraph 645 of

the Economic and Social Council's report, said she fully appreciated the activities of the various specialized agencies in their own fields and thought that consultation with them was not only appropriate but might be extremely fruitful on some subjects and avoid duplication. However, it was very important not to tie the General Assembly's hands in urgent cases where it was not possible for consultations to take place; also, the Assembly must not be committed by some inflexible ruling to abrogation of its full competence. A more flexible provision might allow for consultations to take place not necessarily before the Assembly took any action, but during discussions and before resolutions were adopted (994th meeting, para. 4).

The representative of Bolivia stated that the question of consultation with the specialized agencies was extremely important if duplication of programmes was to be avoided. It was to be expected that such consultations would be conducted through the Administrative Committee on Co-ordination. The draft resolution in paragraph 645 of the Council's report reflected a desire to make the best possible use of available resources and deserved support (995th meeting, para. 9).

### DOCUMENT A/C.6/L.475

#### Letter dated 18 November 1960 from the Chairman of the Second Committee to the President of the General Assembly

[Original text: English]  
[21 November 1960]

1. At its 881st plenary meeting, on 1 October 1960, the General Assembly, in approving the allocation of agenda items to the Second Committee, gave its approval to a special procedure, set forth in the Secretary-General's memorandum (A/BUR/152, para. 8), whereby the Assembly would consider that part of the report of the Economic and Social Council (A/4415) which deals with consultation with the specialized agencies. As you will recall, this procedure provided for the relevant section of the Council's report (para. 645) to be referred to the Second and Third Committees for their comments and then to the Sixth Committee for consideration and report.

2. At its 645th meeting, on 6 October 1960, the Second Committee, in discussing the organization of its work, accepted my suggestion (A/C.2/L.457, para. 10) that delegations might wish to refer to this question during the general discussion on items 12, 29 and 74.

3. I should be most grateful if you would be good enough to inform the Chairman of the Sixth Committee that no comments were registered on this question during the Second Committee's general discussion on these items.

(Signed) Janez STANOVNIK  
Chairman of the Second Committee

### DOCUMENT A/C.6/L.476

#### Report of the Economic and Social Council (chapter VII, section II, paragraph 645) Note by the Secretariat

[Original text: English]  
[30 November 1960]

##### I. INTRODUCTION

1. This note is submitted for the information of the Sixth Committee to assist its deliberations concerning paragraph 645 of the report of the Economic and Social Council (A/4415) which has been referred to it. That paragraph reads as follows:

"In resolution 800 (XXX), the Council recalled the decision set forth in its report to the General Assembly at its fourteenth session 'to draw the attention of the General Assembly to the desirability of

adopting a procedure similar to that outlined in rule 80 of the Council's rules of procedure'. After noting the interest attached to this matter by the specialized agencies, the Council recommended the following draft resolution for adoption by the General Assembly:

"*The General Assembly,*

"*Noting that the Economic and Social Council and most of the specialized agencies have adopted rules of procedure providing for prior consultation before taking action on matters of concern to each other,*

“*Decides*, in conformity with this practice, henceforth to ensure that prior consultations have taken place with the specialized agency or agencies concerned before adopting any project or proposal relating to matters of direct concern to such agency or agencies.’”

2. The matter comes before the Sixth Committee in accordance with a procedure approved by the General Assembly at its 881st plenary meeting, to the effect that the above paragraph of the Council's report would be referred to the Second and Third Committees for any comments and then to the Sixth Committee for consideration and report. The Chairman of the Third Committee, by a letter dated 2 November 1960 addressed to the Chairman of the Sixth Committee (A/C.6/L.469 and Corr.1), recalled the Assembly's decision allocating the matter to various Committees for comment and consideration and transmitted a compilation of views on the paragraph expressed by members of the Third Committee. Members of the Second Committee were invited to express their views, but did not do so (see A/C.6/L.475).

## II. BACKGROUND OF THE QUESTION

3. The background of the question has been set forth in a note prepared by the Secretariat (A/C.3/L.845) at the request of the Third Committee. In 1951, the Administrative Committee on Co-ordination, in response to a request of the Economic and Social Council, presented to the Council a set of model rules on consultation. In 1952, on the basis of that draft, the Council added rule 80 to its rules of procedure (see resolution 456 A (XIV), annex).

[For the text of rule 80, see document A/C.3/L.845, para. 4, above.]

4. In its report to the fourteenth session of the General Assembly, the Economic and Social Council “agreed to draw the attention of the General Assembly to the desirability of adopting a procedure similar to that outlined in rule 80 of the Council's rules of procedure, providing for consultation with the specialized agency concerned before the adoption of any project or proposal relating to matters of direct concern to that agency” (A/4143, para. 584). The General Assembly took no action on this recommendation. This year, the Council, in its annual report (A/4415), made the recommendation quoted in paragraph 1 of this note that the General Assembly adopt a draft resolution.

## III. EXISTING ARRANGEMENTS FOR CONSULTATION OF THE SPECIALIZED AGENCIES BY THE GENERAL ASSEMBLY

5. The United Nations Charter, in Article 63, paragraph 2, speaks of consultation by the Economic and Social Council with the specialized agencies, and, in Article 70, provides for arrangements for representatives of the specialized agencies to participate, without vote, in the deliberations of the Economic and Social Council and in those of the commissions established by it, and for the Council's representatives to participate in the deliberations of the specialized agencies. Though no express provision for consultation between the General Assembly and the specialized agencies is contained in the Charter, arrangements for such consultation were early found necessary. All of the relationship agreements concluded between the United Nations and the specialized agencies, and also the agreement between the United Nations and the International Atomic Energy Agency, provided that representatives of the agencies

shall be invited (or shall be entitled) to attend meetings of the General Assembly “for purposes of consultation”, and also that such representatives shall be invited (or entitled) to attend meetings of the Main Committees of the General Assembly and “to participate without vote” in their discussions.<sup>9</sup> These provisions have been carried out, though the only pertinent provision in the rules of procedure of the General Assembly is the requirement of rule 11 that “Copies of the notice summoning each session shall be addressed to . . . the specialized agencies referred to in Article 57, paragraph 2, of the Charter”.

6. The relationship agreements with the specialized agencies also contain other provisions which, though not exclusively related to the General Assembly, may require or facilitate consultations concerning its work. For example, most of the agreements provide for inclusion, “subject to such consultation as may be necessary”, in the agenda of various bodies of the agency concerned of items proposed by the United Nations. In practice, these consultations have been carried out on behalf of the United Nations by the Secretary-General. All of the agreements contain provisions on the exchange of information and documents, and most of them contain a provision that the Secretary-General shall, after consultation and upon request, transmit to the executive head of the specialized agency such information, documents or other material as may be of special interest to the agency. The agreements also contain obligations of consultation on personnel arrangements, statistics, common administrative and technical services and facilities, etc. Finally, all relationship agreements include an expressed intention on the part of the two organizations to take any further measures which may be necessary to make liaison between them fully effective.

7. Consultation between the United Nations and the specialized agencies takes place through the Administrative Committee on Co-ordination, composed of the Secretary-General of the United Nations and the executive heads of the specialized agencies or their representatives. This Committee was established by Economic and Social Council resolution 13 (III) with the principal function “to insure the fullest and most effective implementation of the agreements entered into between the United Nations and the specialized agencies”.

## IV. VIEWS ON THE DESIRABILITY OF IMPROVING EXISTING ARRANGEMENTS

8. During the discussion of the item “General review of the development and co-ordination of the economic,

<sup>9</sup> Typical provisions dealing with representation of specialized agencies in the General Assembly are the following paragraphs of article II of the Agreement between the United Nations and the International Labour Organisation:

“3. Representatives of the International Labour Organisation shall be invited to attend, in a consultative capacity, meetings of the General Assembly and shall be afforded full opportunity for presenting to the General Assembly the views of the International Labour Organisation on questions within the scope of its activities.

“4. Representatives of the International Labour Organisation shall be invited to attend meetings of the Main Committees of the General Assembly in which the International Labour Organisation has an interest and to participate, without vote, in the deliberations thereof.

“6. Written statements of the Organisation shall be distributed by the Secretariat of the United Nations to all Members of the General Assembly, the Council and its commissions and the Trusteeship Council as appropriate.”  
(See *Agreements between the United Nations and the Specialized Agencies*, United Nations publication, Sales No.: 51.X.1, pp. 3 and 4.)

social and human rights programmes and activities of the United Nations and the specialized agencies as a whole" in the Economic and Social Council at its twenty-eighth session in 1959, it was suggested that "the Council should, either by resolution or by means of a passage in its annual report to the Assembly, draw attention to the procedure for prior consultation and request that the Assembly consider the adoption of a similar procedure before approving any proposals which involved new activities for any of the specialized agencies."<sup>10</sup> This suggestion was welcomed by the representative of the ILO, who referred to the procedure contained in the Standing Order (16(1)) of the ILO Governing Body, "which laid down that, where a proposal involved a new activity relating to matters of direct concern to another organization, the Director-General should enter into consultation with that organization and report to the Governing Body on the means of achieving co-ordinated use of the resources of the respective organizations".<sup>11</sup>

9. In 1960, during the Council's thirtieth session, one representative stated that the General Assembly had, on occasion, adopted resolutions on technical matters which had proved impossible to implement after discussion with the technical agencies concerned, and that, in order to avoid this kind of situation, "there should be prior consultation with the specialized agency concerned before a Member State submitted a draft resolution in the General Assembly relating to matters of direct concern to such agency".<sup>12</sup> Another representative stated that, "while the General Assembly was certainly the supreme inter-governmental organization, it had certain responsibilities under the Charter of the United Nations for co-ordinating both the activities of the specialized agencies as such, and United Nations activities with those of the specialized agencies, even though most of the work was actually done by the Economic and Social Council. All the basic agreements concluded between the specialized agencies and the United Nations contained as their first article a provision in which the General Assembly recognized the agencies' competence under their constitutions." It was not being suggested that "the General Assembly should never adopt any resolution concerning health or labour, or any other subject of concern to a specialized agency, but merely that there should be prior consultation with the agency concerned."<sup>13</sup>

10. In the course of the same debate in the Council, doubts were expressed about the need for adopting a draft resolution on the matter. One representative stated

<sup>10</sup> E/AC.24/SR.186, p. 4.

<sup>11</sup> E/AC.24/SR.187, p. 5.

<sup>12</sup> E/AC.24/SR.199, p. 4.

<sup>13</sup> *Ibid.*, pp. 5 and 6.

as follows: "It smacked of encroachment upon the province of the General Assembly, the supreme organ of the United Nations. The General Assembly was fully entitled to consult any organization it deemed fit, but there had been many occasions on which it had refrained from doing so. The draft resolution, however, would bind it to consult the specialized agencies in every case. It was true that the Economic and Social Council and most of the specialized agencies had already adopted procedures for consultation, but the General Assembly was sovereign in deciding how it should act in any particular case."<sup>14</sup> Another representative also stated that, if adopted, the draft resolution "might hamstring the Assembly, since, if for any reason the consultation envisaged could not be held, the Assembly would have to defer its decision whenever any matter concerning any specialized agency was concerned. A further effect would be to deprive the General Assembly of its right to address the specialized agencies direct. In any event, the Assembly did not make a practice of taking decisions without consulting the representatives of the specialized agencies at United Nations Headquarters wherever it was appropriate to do so." The same representative suggested that a clause be inserted whereby the Assembly would ensure that prior consultation had taken place with the specialized agency or agencies concerned "when it deemed it necessary".<sup>15</sup> One member "deprecated the implication in the proposal that the General Assembly had hitherto not co-ordinated its activities with those of the specialized agencies. There was in fact quite an elaborate consultation procedure. The draft resolution did not therefore meet any need expressed by the General Assembly. Furthermore, the proposed procedure was not clear; it seemed that, if it were adopted, General Assembly resolutions might be held in abeyance for an indefinite time."<sup>16</sup>

11. As regards the views of the Administrative Committee on Co-ordination, the Committee recalled, in its twenty-fourth report to the Council in 1960,<sup>17</sup> that the model rules of procedure formulated by it in 1951 had subsequently been used as a basis for new or amended rules of the Council itself (rule 80) and of the governing organs of certain of the specialized agencies, although not yet for those of the General Assembly. The Committee welcomed the action taken by the Council in 1959 and noted that the Assembly had not acted upon the Council's recommendation.

<sup>14</sup> *Ibid.*, p. 5.

<sup>15</sup> *Ibid.*, p. 6.

<sup>16</sup> *Ibid.*, p. 7.

<sup>17</sup> *Official Records of the Economic and Social Council, Thirtieth Session, Annexes*, agenda item 3, document E/3368, paras. 44 and 45.

## DOCUMENT A/4615

### Report of the Economic and Social Council (chapters V, VI and VII (section II, paragraph 645, and sections IV and V))

#### Report of the Third Committee

[Original text: English]  
[6 December 1960]

1. When allocating item 12 of the agenda of the fifteenth session (Report of the Economic and Social Council), the General Assembly decided, at its 881st plenary meeting, held on 1 October 1960, to refer chapters V and VI and sections II (paragraph 645), IV and

V of chapter VII of the Council's report (A/4415) to the Third Committee.

2. The Committee noted that four subjects dealt with in the part of the report referred to the Third Committee formed independent items on the agenda, namely:

(a) Report of the United Nations High Commissioner for Refugees (section IV of chapter V);

(b) Draft Declaration on Freedom of Information (paragraphs 557-564 contained in section I of chapter VI);

(c) Draft Declaration on the Right of Asylum (section II of chapter VI);

(d) Main trends of inquiry in the natural sciences, dissemination of scientific knowledge and application of such knowledge for peaceful ends (section V of chapter VII).

3. The Committee agreed to deal with the above-mentioned sections of the Council's report in connexion with its consideration of items 33 (Assistance to refugees),<sup>18</sup> 36 (Draft Declaration on Freedom of Information), 82 (Draft Declaration on the Right of Asylum), and 83 (Main trends of inquiry in the natural sciences, dissemination of scientific knowledge and application of such knowledge for peaceful ends).

4. The Committee considered the remaining sections of chapters V and VI and chapter VII, section II (paragraph 645) and section IV, at its 982nd to 999th meetings, held between 6 and 24 October 1960.

5. Paragraph 645 of section II of chapter VII, which deals with the question of consultation with the specialized agencies and which has been referred to the Sixth Committee for consideration and report, was also referred to the Third Committee for any comments which that Committee might wish to make. A compilation of views expressed on the paragraph is to be found in document A/C.6/L.469 and Corr.1.

6. Section I of chapter VII, "Programme appraisals in the economic, social and human rights fields", which was referred to the Fifth Committee, was also made available to the Third Committee for comment. A list of references to the records of the Third Committee containing views expressed by the members of the Third Committee on this question is to be found in document A/C.5/841.

7. At the 991st meeting, Ethiopia, Guinea, Morocco, Nigeria and Senegal submitted a draft resolution concerning training and education in countries in process of development, especially in Africa (A/C.3/L.852, later revised as A/C.3/L.852/Rev.1). On the recommendation of the sponsors, the Committee decided at the 994th meeting to postpone the consideration of this draft resolution to a later stage in the proceedings of the current session. At the 1047th meeting, the sponsors asked that the Committee should postpone consideration of this text until the First Committee had concluded its consideration of the item: "Africa: a United Nations programme for independence and development". In the event that discussion of that item were not completed before the close of the session, the co-sponsors would propose to resubmit their draft resolution to the General Assembly at its sixteenth session. The Rapporteur may therefore submit to the Assembly a supplement to the present report if the above-mentioned draft resolution is considered by the Committee during the current session.

#### UNITED NATIONS CHILDREN'S FUND

8. At the invitation of the Committee, Dr. Felix Schnyder, Chairman of the Executive Board of UNICEF made a statement (982nd meeting). He called attention to the increase in requests for UNICEF aid resulting

in large part from a growing awareness of the needs of children. The disparity between the 55 million children receiving some form of UNICEF aid, and the 600 million children in need of protection against misery, hunger or disease, was an incentive to enlarge UNICEF assistance and to organize it in such a way as to strengthen the efforts of countries to help themselves.

9. In the past, Fund activities had been reviewed from time to time but, having completed ten years of assistance for long-term programmes, the Board was now considering whether a more comprehensive review of programmes was required. The work of other United Nations bodies directed towards economic and social development was supplemented and strengthened by the activities of UNICEF. Consultations were therefore taking place with benefiting countries and with the agencies concerned to ascertain the priority needs of children, and to identify the fields in which UNICEF assistance might make the greatest contribution to present and future welfare. This matter would be considered at the June 1961 session of the Board.

10. The Board recognized the need to expand UNICEF activities in Africa, and a new UNICEF office would shortly be created to deal exclusively with Africa south of the Sahara. With the needs of Africa particularly in mind, the Board, at its last session, had introduced greater flexibility in the application of its policy on local "matching". The Board also decided to assume new types of local costs in certain situations, and to give more aid to Governments in the preparation of project requests.

11. The UNICEF Board had welcomed the Declaration of the Rights of the Child (General Assembly resolution 1386 (XIV)), which offered a valuable source of background material in considering future activities. At its last session, the Board had unanimously adopted a statement<sup>19</sup> on the tasks of UNICEF in relation to the Declaration but pointed out that, to make such help possible, UNICEF needed further resources.

12. In the course of the debate, many delegations commended the constructive manner in which UNICEF aid had reinforced national programmes. Some delegations called attention to the role of UNICEF in spearheading efforts by the international community on behalf of children. Others pointed to the influence of UNICEF aid in encouraging co-ordination by Governments of a number of activities which could be integrated into broader measures leading to the improvement of community levels of living. The view was expressed that greater recognition should be accorded to the continuing role which UNICEF could play in helping to create better living conditions.

13. The capacity shown by UNICEF for adapting to changing conditions and making the best use of resources was commended, and the hope expressed that the survey of children's needs would assist the Board in formulating the most effective programme harmonizing with the priorities established by the assisted Governments. Some delegations stressed the importance of maintaining a proper balance between various types of aid, particularly in the light of the new and pressing demands being made upon UNICEF's resources. Other delegations emphasized the importance of ensuring that worthwhile fields for action were not overlooked, and referred to the new horizons given UNICEF by the Declaration of the Rights of the Child.

<sup>18</sup> See *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 33, document A/4582.

<sup>19</sup> See *Official Records of the Economic and Social Council, Twenty-ninth Session, Supplement No.2A*, chap. III, para. 40.

14. Some delegations, while emphasizing that they did not minimize the importance of anti-malaria activities, suggested that UNICEF aid towards malaria eradication should decrease to free a greater proportion of resources for the more specific needs of children. Other delegations stated that UNICEF aid for disease-control programmes, and especially anti-malaria campaigns which were basic to the success of other aid programmes, should not be reduced. Some delegations sought greater emphasis on nutrition and maternal and child welfare programmes.

15. There was general recognition that UNICEF aid for training of national personnel was a matter of high priority, and the importance of the training survey to be considered by the UNICEF Board in June 1961 was stressed. A number of delegations expressed the hope that at its next session the Board would consider the possibility of extending its aid into the field of primary education.

16. Many delegations commended the steps which UNICEF had taken to assist less developed countries and those going through difficult transitional stages, particularly in Africa. The special needs of those areas were described as an added challenge to be taken into account in developing patterns of long-range aid. A number of delegations emphasized, at the same time, that attention should not be excessively diverted from the immense tasks still confronting UNICEF in other parts of the world.

17. Reference was made to the importance of associating the activities of non-governmental organizations with those of UNICEF, both in countries receiving UNICEF aid and in countries which were solely contributors.

18. A number of delegations stressed that the activities of UNICEF were restricted by its limited resources. While many Governments had been generous in their support, it was apparent that greater resources were necessary if UNICEF were to increase the effectiveness of its present aid and to respond adequately to new and changing needs.

19. At the 990th meeting, Afghanistan, Australia, Colombia, Denmark, Ghana, Greece, Indonesia, Mexico, New Zealand, Nigeria, Pakistan, Senegal, Tunisia and Yugoslavia submitted a draft resolution on UNICEF (A/C.3/L.849), the operative part of which read as follows:

"The General Assembly,

"...

"1. Commends UNICEF on its achievements;

"2. Encourages UNICEF to increase aid to countries passing through difficult transitional stages, particularly in Africa, without prejudicing the level of aid to other countries requiring assistance;

"3. Expresses the hope that UNICEF will receive the necessary financial support to enable it not only to continue its successful work but also increasingly to meet the challenge of extending its services."

20. At the 995th meeting, the draft resolution was adopted unanimously (see paragraph 88, draft resolution I, below).

#### SOCIAL PROGRAMMES OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES

21. At the 982nd meeting, the Director of the Bureau of Social Affairs made a statement (A/C.3/L.846). In the general discussion which followed, several delegations affirmed the necessity of maintaining a proper

balance between economic and social development and stressed that, to be fully effective, the social work of the United Nations required to be associated with sound economic conditions. In this connexion, delegations referred to the consolidated report entitled *Five-Year Perspective, 1960-1964* (A/3347/Rev.1),<sup>20</sup> pointing out that this was the first document which gave a comprehensive picture of the programmes and activities of the United Nations and the six participating specialized agencies, and examined them in relation to needs and opportunities for international action. Wide support was given to the conclusion in the report, particularly the emphasis on the need for concerted international action to help countries in solving problems associated with urbanization, housing, and community development. The need for United Nations action in newly independent and developing countries was emphasized and in particular a call was made for more interest in, and emphasis on, programmes for Africa.

22. A number of delegations referred to social advances in their countries, particularly to progress achieved in the fields of health and education. Attention was drawn to the difficulties which faced the developing countries in seeking social progress, and to the need for international measures of assistance. Many delegations noted with satisfaction certain trends in social programmes, particularly the shift from emergency relief to long-range development based on the needs of each country, especially with regard to the training of national personnel. Some delegations suggested that the Social Commission should meet annually, some that the *Report on the World Social Situation* should be published more frequently and be given high priority in the Social Commission and in the Economic and Social Council.

23. Close working relationships had been established between the United Nations and the agencies concerned in such areas as community development and low-cost housing which, it was stressed, had become an increasing problem, partly because of the rate of population growth and partly because of migration into towns and cities in many countries. It was suggested that housing programmes required special attention and that scope existed for increased inter-agency co-operation in this field.

24. Many delegations expressed their interest in the further report on balanced economic and social development which the Secretary-General would submit to the Social Commission in 1961. It was hoped that this report would facilitate the application in functional spheres of the principle of interrelationship of economic and social factors and assist in defining practical criteria for the allocation of priorities.

25. Some delegations expressed satisfaction with the work of the United Nations in the social field; others questioned whether the Organization had made use of all means at its disposal, also whether it had not clung too closely to outdated methods. Reference was made to maintaining the principle of equitable geographical representation in the Secretariat services concerned.

26. Some delegations stated that the Council and its organs were not paying sufficient attention to such questions as access of people, particularly workers, to public health services and education, the maintenance of full employment and to assuring greater material security. Social questions of this nature were, it was said, often referred to the specialized agencies, which dealt with only limited aspects of those problems.

<sup>20</sup> United Nations publication, Sales No.: 60.IV.14.

27. Several delegations said that activities directed towards overcoming poverty, hunger, illiteracy, disease and lack of adequate housing could be increased if agreement were reached on general and complete disarmament. It was stated, on the other hand, that, in the absence of agreement on this subject, it was premature to speculate on resources which disarmament might release for these purposes, and that the United Nations should look for more immediate ways of obtaining financial resources.

28. At the 989th meeting, Ethiopia, Ghana, Indonesia, Libya, Morocco, Nigeria, Peru, Somalia and Yugoslavia submitted a draft resolution on low-cost housing (A/C.3/L.851), which read as follows:

*"The General Assembly,*

*"Recalling its resolution 1393 (XIV) regarding low-cost housing,*

*"Having noted section I of chapter V of the report of the Economic and Social Council (A/4415) on progress made towards the implementation of the long-range programme of concerted international action in the field of housing and related community facilities,*

*"Recognizing the importance of adequate housing and community facilities and services for a rise in the levels of living of the lower income groups in the congested urban areas,*

*"Considering that owing to limited resources the developing and newly independent countries have difficulty in meeting demands for simultaneous investment in economic development projects and in housing, health and education,*

*"Recognizing the need to utilize more fully the peoples' own resources and local sources of materials and finances for the solution of the housing and urban development problem,*

*"1. Requests Member States to review their housing requirements, policies and programmes as well as the extent of investment in this field from all sources in their countries and to indicate to the United Nations the areas in which outside assistance is most needed;*

*"2. Requests the Secretary-General to investigate in consultation with interested Member States the possibility of obtaining technical services, equipment, and funds for establishing or multiplying pilot projects (a) in low-cost housing and related community facilities, services and utilities in the rapidly urbanizing areas of the developing and newly independent countries and (b) in the production from local sources of suitable materials, accessories and construction elements and equipment for the execution of housing and urban development programmes;*

*"3. Further requests the Economic and Social Council to investigate, on the basis of work already done by its functional and regional commissions, the possibilities for the international financing of low-cost programmes in less developed countries;*

*"4. Invites the Economic and Social Council to submit to the General Assembly a report on the implementation of this resolution together with the comments of the Social Commission, the regional economic commissions and the specialized agencies concerned."*

29. The sponsors of the draft resolution stressed that Governments of developing countries were in many cases spending an unduly large portion of their budgets on housing and urban development programmes. The concentration of people in urban areas could be expected to

increase and the problems to become more acute. It was pointed out that, as there was no specialized agency dealing specifically with housing, the United Nations had a special responsibility.

30. Some delegations criticized operative paragraph 2 on the grounds that the Secretary-General should not be asked to prepare a study which would guide the future policy of the United Nations in this matter. Studies of this nature could not, they said, be effective unless a unilateral approach were avoided and an opportunity given for working out a common plan of action; the request should be addressed to Member Governments having experience in low-cost housing rather than to the Secretary-General.

31. The representative of the United States suggested that the last part of operative paragraph 3 be amended to read "the possibilities for the domestic and international financing of low-cost housing programmes".

32. At the 996th meeting, the sponsors revised the text of the nine-Power draft resolution (A/C.3/L.851/Rev.1), at the same time changing the title to "Low-cost housing and related community facilities". A new paragraph was added between the third and fourth preambular paragraphs reading:

*"Recognizing the significant role of Governments in the planning, financing and execution of programmes for low-cost housing and community facilities"*.

The sponsors accepted the suggestion of the representative of Afghanistan to delete from operative paragraph 2 the words "and newly independent". They inserted the words "domestic and" before the word "international" in operative paragraph 3.

33. At the 998th meeting, the Committee voted as follows on the revised draft resolution on low-cost housing and related community facilities (A/C.3/L.851/Rev.1):

The preamble was adopted unanimously.

Operative paragraph 1 was adopted unanimously.

Operative paragraph 2 was adopted by 69 votes to 9, with 1 abstention.

Operative paragraph 3 was adopted unanimously.

Operative paragraph 4 was adopted unanimously.

The draft resolution as a whole was adopted by 71 votes to none, with 9 abstentions (see paragraph 88, draft resolution II, below).

## HUMAN RIGHTS

34. Many delegations noted the steady progress made by the United Nations during the period under review in promoting respect for human rights, and commended the work of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities. A number of delegations referred with appreciation to the endeavours of the Commission on the Status of Women to improve the position of women, particularly in under-developed countries.

35. The draft Declaration on Freedom of Information (Economic and Social Council resolution 756 (XXIX), annex) and the draft Declaration on the Right of Asylum<sup>21</sup> were cited as two notable drafts submitted by the Council.

36. Several delegations said that, although the United Nations had been active in the promotion of human

<sup>21</sup> See *Official Records of the Economic and Social Council, Thirtieth Session, Supplement No. 8, chap. VI, para. 147.*

rights, less attention had been given to protection against actual violations, and it was suggested that shortcomings in this respect might endanger the prestige of the United Nations. The desirability of condemning all forms of racial hatred and intolerance was stressed.

37. Some delegations emphasized the contribution which the national advisory committees on human rights endorsed in Economic and Social Council resolution 772 B (XXX) of 25 July 1960 could make to the education of public opinion and to the protection of human rights.

38. The increasing effectiveness of the programme of advisory services in the field of human rights, and particularly of the seminars, was stressed. Some delegations referred to the desirability of holding, at some time in the future, an international seminar as a follow-up of a series of regional or national seminars.

39. Reference was made to the appeal contained in Council resolution 772 D (XXX) calling upon Governments which had not already done so to adhere to the Supplementary Convention on the Abolition of Slavery, the Slave-Trade, and Institutions and Practices Similar to Slavery.<sup>22</sup>

40. The hope was expressed that the Economic and Social Council might promote the preparation of a declaration on capital punishment.

#### *Status of women*

41. Several delegations noted the progress which was being made towards political equality for women. Some delegations referred to the importance of ensuring free access of women to all levels of education and to the need for basic economic development to help raise the status of women. Several delegations regretted the delay in final action on the draft Convention and draft Recommendation on the minimum age of marriage, consent to marriage and registration of marriages.<sup>23</sup>

42. Many delegations expressed particular concern with the status of women in less developed countries. It was suggested that a long-term programme or a fund might be established to meet the special needs of women in such countries. An appeal was made to Member States (in pursuance of Council resolution 771 H (XXX)) to reply promptly to the Secretary-General's inquiry concerning advancement of women in under-developed countries.

43. Some delegations felt that particular attention should be given to studying the common problems of the women of Africa. Other delegations mentioned the inadequacy of the representation of the African and Asian countries on the Commission on the Status of Women and suggested that the membership should be enlarged from the present eighteen to twenty-one.

44. At the 992nd meeting, a representative of the Secretary-General, in replying to a question, made a statement concerning the aspects of the work of the Commission on the Status of Women directed especially towards the advancement of women in less developed areas of the world.

<sup>22</sup> United Nations Conference of Plenipotentiaries on a Supplementary Convention on the Abolition of Slavery, the Slave-Trade, and Institutions and Practices Similar to Slavery, held at Geneva, Switzerland, from 13 August to 4 September 1956, *Final Act and Supplementary Convention* (United Nations publication, Sales No.: 57.XIV.2).

<sup>23</sup> *Official Records of the Economic and Social Council, Thirtieth Session, Supplement No. 7, chap. XV, draft resolutions III A and III B.*

45. At the 989th meeting, the representatives of Morocco and Greece introduced, on behalf of all the sponsors, Afghanistan, Greece, Liberia, Morocco, Nigeria, Pakistan and Tunisia, a draft resolution concerning United Nations assistance for the advancement of women in developing countries (A/C.3/L.847). The draft resolution read as follows:

*"The General Assembly,*

*"Taking note of section VII of chapter VI of the report of the Economic and Social Council (A/4415) and of resolution 771 H (XXX) of the Council, entitled 'United Nations assistance for the advancement of women in under-developed countries',*

*"Recalling its resolution 1163 (XII) concerning the work of the Commission on the Status of Women and the progress achieved in the field of women's rights,*

*"Noting with satisfaction that the Commission on the Status of Women is showing a special interest in the condition of women in developing countries,*

*"1. Expresses the hope that Governments of Member States, and particularly those of the developing countries, will take full advantage of existing programmes of the United Nations designed to improve the status of women and that they will collaborate with the Secretary-General in the study which he has undertaken in compliance with resolution 771 H (XXX) of the Economic and Social Council;*

*"2. Invites the Economic and Social Council and the Commission on the Status of Women to pursue their efforts in the matter and take, in connexion with this study, appropriate measures that would lead to special assistance by the United Nations and its specialized agencies for the advancement of women in the developing countries."*

46. The sponsors of the draft resolution stated that the urgency of the study undertaken by the Secretary-General under Council resolution 771 H (XXX) should be emphasized as well as the need for close collaboration between the Secretary-General and the Governments of Member States. The representative of Iraq suggested that the word "emergency" should be inserted between the words "appropriate" and "measures" in operative paragraph 2 of the draft resolution.

47. Poland submitted two amendments (A/C.3/L.856) to the seven-Power draft resolution (A/C.3/L.847), the first proposing to replace operative paragraph 1 by the following text:

*"Expresses the hope that the United Nations and the specialized agencies will direct their existing programmes to a greater extent towards improving the status of women in the developing countries and that the latter will take full advantage of such programmes".*

The second amendment called for the deletion in operative paragraph 2 of the words "in connexion with this study".

48. The representative of Poland argued that operative paragraph 1 of the seven-Power draft resolution implied that the countries concerned were not sufficiently eager to make use of existing United Nations programmes for the advancement of women. Her delegation's text was intended to place the emphasis on the obligation of the United Nations and the specialized agencies to do more to help women in developing countries. Subsequently, the representative of Poland

revised her first amendment by adding the words "the Governments of" between the words "and that" and "the latter" in paragraph 1 (A/C.3/L.856/Rev.1).

49. Several delegations said that, by eliminating all reference to the Secretary-General's study under Council resolution 771 H (XXX), the Polish amendment to operative paragraph 1 weakened the text and made it less concrete.

50. Some delegations stated that they would vote in favour of the seven-Power draft resolution on the understanding that the use of the words "special assistance" in operative paragraph 2 did not mean that a new programme would be put into effect which would anticipate the conclusions the Secretary-General might reach in his study.

51. The representative of Liberia suggested orally that, in the interests of unanimity, the following words taken from the first Polish amendment should be added at the end of operative paragraph 1 of the seven-Power draft resolution: "and that the United Nations and the specialized agencies will, for their part, direct their existing programmes to a greater extent towards achieving this end". Subsequently, the sponsors of the seven-Power draft resolution accepted the Liberian suggestion and revised operative paragraph 1 of their text (A/C.3/L.847/Rev.1), to read as follows:

*"Expresses the hope that the Governments of Member States, and particularly those of the developing countries, will take full advantage of existing programmes of the United Nations designed to improve the status of women, that they will collaborate with the Secretary-General in the study which he has undertaken in compliance with resolution 771 H (XXX) of the Council, and that the United Nations and the specialized agencies will, for their part, direct their programmes to a greater extent towards achieving this end."*

52. The representative of Poland then withdrew her revised amendments (A/C.3/L.856/Rev.1). She requested a separate vote on the phrase "that they will collaborate with the Secretary-General in the study which he has undertaken in compliance with resolution 771 H (XXX) of the Council" in operative paragraph 1 of the seven-Power revised draft resolution.

53. At the 998th meeting, the Committee voted on the seven-Power revised draft resolution (A/C.3/L.847/Rev.1) as follows:

The words "that they will collaborate with the Secretary-General in the study which he has undertaken in compliance with resolution 771 H (XXX) of the Council" in operative paragraph 1 were voted on separately by roll-call and were adopted by 64 votes to 11, with 6 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Australia, Belgium, Bolivia, Brazil, Burma, Cambodia, Canada, Chad, Chile, China, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Haiti, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Liberia, Libya, Mexico, Nepal, Netherlands, New Zealand, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Somalia, Spain, Sudan, Sweden, Thailand, Tunisia, Turkey, Union of South Africa, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Czechoslovakia, Guinea, Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*Abstaining:* Austria, Mali, Morocco, Nigeria, Saudi Arabia, Togo.

Operative paragraph 1 was adopted by a roll-call vote of 70 to none, with 11 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Cambodia, Canada, Chad, Chile, China, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Haiti, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Union of South Africa, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Czechoslovakia, Guinea, Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

The draft resolution as a whole (A/C.3/L.847/Rev.1) was adopted unanimously (see paragraph 88, draft resolution III, below).

#### MANIFESTATIONS OF RACIAL AND NATIONAL HATRED AND RELIGIOUS AND RACIAL PREJUDICE

54. Some delegations recorded their deep concern with the manifestations of racial prejudice and religious intolerance which had occurred early in 1960. They expressed alarm on account of the outbreaks of anti-Semitism which had occurred in various countries, and attributed them to the renaissance of German militarism, revanchist policies, and military training and indoctrination of the young by former Nazis.

55. Some delegations expressed satisfaction with the prompt action taken by the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities in condemning all manifestations of racial prejudice and religious intolerance. A number of delegations endorsed the appreciation expressed by the Economic and Social Council to the Special Rapporteur who had drawn up the *Study of Discrimination in the Matter of Religious Rights and Practices*.<sup>24</sup> It was suggested by one delegation that one day in each year, beginning with 1961 or 1962, might be declared World Brotherhood Day, when attention could be focused on the qualities and achievements of other races.

56. Czechoslovakia submitted a draft resolution (A/C.3/L.848), the text of which read as follows:

*"The General Assembly,*

*"Recalling that a fundamental principle of the United Nations Charter is the safeguarding of permanent peace, security and peaceful co-operation*

<sup>24</sup> United Nations publication, Sales No.: 60.XIV.2.

among nations and that to this end it is necessary to develop co-operation among peoples and nations and to educate the younger generation in this spirit,

*"Noting with gratification* that manifestations of racial and national hatred and religious and racial prejudice of similar kinds which have occurred in various countries during 1959 and 1960 have been unequivocally condemned by resolution 3 (XII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and resolution 6 (XVI) of the Commission on Human Rights,

*"Sharing the grave concern* of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities about these manifestations,

*"Being alarmed* by the fact that there is evidence that also in the education of youth in schools the ideology of Nazism, racialism and revanchism is applied,

*"Expressing* the principle that the United Nations is duty bound to combat these manifestations, to establish the facts and the causes of their origin, and to recommend resolute and effective measures which can be taken against them,

"1. *Resolutely condemns* all manifestations of racial and national hatred in the political, economic, social, educational and cultural spheres of the life of society as violations of the United Nations Charter and the Universal Declaration of Human Rights;

"2. *Calls upon* the Governments of all States to take all necessary measures to prevent the revival of manifestations of racial and national hatred and to submit to the Economic and Social Council a report on these measures;

"3. *Requests* the Economic and Social Council to submit to the General Assembly, as soon as possible, the conclusions reached upon its consideration of this question."

57. The sponsor stated that the draft resolution was not directed against the German people, but had in mind the interests of Germans themselves, for they had been and might again find themselves the victims of an ideology of hatred. In the discussion, some delegations considered it important to take energetic action in the educational field in order to eradicate an ideology which had been the source of so much suffering. Others pointed to legislative action which had been taken in their countries to prevent discriminatory practices.

58. Some delegations suggested that, since manifestations of hatred and discrimination were world-wide and not confined to any particular years in history, the draft resolution should make no specific references. They also pointed out that it would be unwise to create the precedent of condemning a Government which was not able to defend itself in the General Assembly. The representative of Saudi Arabia proposed orally that the second preambular paragraph should be amended to read:

*"Noting with gratification* that manifestations of racial and national hatred and religious and racial prejudice which still exist in the world have been consistently condemned by the United Nations".

He also suggested the deletion of the fourth preambular paragraph.

59. Czechoslovakia submitted a revised text of the draft resolution (A/C.3/L.848/Rev.1). The fourth paragraph of the preamble of the revised text read as follows:

*"Being alarmed* by the fact that there is evidence that also in the education in schools in various countries tendencies of racial and national hatred can be traced".

60. Morocco submitted an amendment (A/C.3/L.853) calling for the deletion of the fourth preambular paragraph.

61. The representative of Saudi Arabia stated that the reference to the Economic and Social Council in operative paragraphs 2 and 3 of the Czechoslovak draft resolution seemed to imply that the Council was vested with certain powers and responsibilities for the defence of human rights which even the General Assembly had been unable to assume because the question of measures for the implementation of the draft Covenants on Human Rights was still unresolved. Moreover, the procedure suggested in the draft would be ineffective because it was difficult to obtain evidence of violations of human rights if a country refused to allow United Nations investigation. He therefore proposed the deletion of operative paragraph 3 and the last portion of operative paragraph 2 following the word "hatred".

62. The representative of Liberia suggested at the 995th meeting that the words "the revival of" be deleted from operative paragraph 2 and that they might possibly be replaced by the words "any kind of". He also suggested at the following meeting that the fourth preambular paragraph should be modified because it was not only in school education that tendencies to racial or national hatred could be traced.

63. Saudi Arabia submitted an amendment (A/C.3/L.857) to replace the fourth preambular paragraph of the Czechoslovak draft resolution by the following:

*"Being alarmed* by the fact that tendencies of racial and national hatred are still not sufficiently combated by orienting youth in many parts of the world in accordance with the spirit of the United Nations Charter".

64. The representative of Morocco stated that the Saudi Arabian amendment (A/C.3/L.857) fully met the objectives of her own amendment (A/C.3/L.853), which she therefore withdrew.

65. The representative of Czechoslovakia accepted several of the above suggestions and submitted a further revision of the draft resolution (A/C.3/L.848/Rev.2) in which the second and fourth paragraphs of the preamble and operative paragraph 2 read as follows:

*"Noting with gratification* that manifestations of racial and national hatred and religious and racial prejudice which still exist in the world have been consistently condemned by the United Nations,

"...

*"Being alarmed* by the fact that tendencies of racial and national hatred are still not sufficiently combated by orienting youth in many parts of the world in accordance with the spirit of the United Nations Charter,

"...

"2. *Calls upon* the Governments of all States to take all necessary measures to prevent all manifestations of racial, religious and national hatred and to submit to the Economic and Social Council a report on these measures."

66. Saudi Arabia submitted a further amendment (A/C.3/L.859 and Corr.1) proposing the deletion from operative paragraph 2 of the phrase "and to submit to the Economic and Social Council a report on these

measures" and the deletion of the whole of operative paragraph 3.

67. The Netherlands and Norway submitted an amendment (A/C.3/L.858) to the Czechoslovak revised draft resolution calling for the replacement of operative paragraphs 2 and 3 by the following text:

"2. *Calls upon* States Members of the United Nations and members of the specialized agencies to take all necessary measures to prevent all kinds of manifestations of racial and national hatred and religious intolerance wherever they occur, and further to co-operate in the implementation of resolution 6 (XVI) of the Commission on Human Rights;

"3. *Requests* the Economic and Social Council to transmit its comments on these questions to the General Assembly as soon as possible."

The sponsors of the amendment stated that, although the Czechoslovak draft resolution was on the whole acceptable, they considered operative paragraphs 2 and 3 should be worded more carefully. They stated that they were not in favour of the reporting procedure proposed in operative paragraph 2 of the draft resolution, and that they were not opposed in principle to the Saudi Arabian amendment to delete paragraph 2.

68. The representative of France said that the first part of the first preambular paragraph should be redrafted to conform accurately with the wording of the Charter and accordingly should read: "*Recalling* that the fundamental purposes of the United Nations are to maintain international peace and security and to develop friendly relations among nations . . ."; and the word "develop" in the next phrase should be replaced by the word "strengthen". In the second preambular paragraph, the expression "religious and racial prejudice" was unsatisfactory, because religious prejudice was not what was meant. He proposed that those words should be replaced by "religious intolerance and racial prejudice". He was also not satisfied with the words "orienting youth", in the fourth preambular paragraph, and suggested that the word "orienting" might be replaced by "educating".

69. The representative of Czechoslovakia accepted the drafting changes proposed by the French representative. She also was prepared to accept the Saudi Arabian representatives' amendment to delete the end of operative paragraph 2 and the whole of operative paragraph 3, on condition that the Netherlands and Norway withdrew their amendment (A/C.3/L.858).

70. The representatives of the Netherlands and Norway withdrew their amendment (A/C.3/L.858).

71. At the 998th meeting, the Committee voted on the revised Czechoslovak draft resolution (A/C.3/L.848/Rev.2) as follows:

The preamble and operative paragraph 1, as amended, were adopted by 78 votes to none, with 2 abstentions.

Operative paragraph 2, as amended, was adopted by a roll-call vote of 76 to none, with 5 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chad, Chile, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Libya, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Norway,

Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* China, Ghana, Liberia, Nigeria, Union of South Africa.

The draft resolution as a whole, as amended, was adopted by a roll-call vote of 78 votes to none, with 3 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chad, Chile, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* China, Ethiopia, Union of South Africa. (See paragraph 88, draft resolution IV, below.)

#### INTERNATIONAL CONTROL OF NARCOTIC DRUGS

72. Several delegations commended the work of the Commission on Narcotic Drugs and noted with satisfaction that the amount of information supplied to the Commission during the past year had expanded, also that the material furnished was increasingly useful. Reference was made to the improvement in the situation concerning addiction to cannabis in certain regions.

73. Concern was expressed that the volume of illicit traffic and the extent of drug addiction had not materially decreased. The main sources of opium and opiates continued to be the Near, Middle and Far East. Governments most directly concerned were endeavouring to solve these problems in their own territories, but it was emphasized that the way to future progress lay through increased regional co-operation.

74. The first Inter-American Conference on the Illicit Traffic in Cocaine and Coca Leaf, organized by the Government of Brazil, and the Turko-Iranian Border Pact, seemed to be steps in the right direction. The hope was expressed that similar pacts might be concluded among other Governments, and further regional conferences and survey missions held to facilitate control of the problem. Out-posting members of the Secretariat (Division of Narcotic Drugs) to the particular regions most concerned could be of assistance in carrying out regional projects of this nature. Several delegations expressed satisfaction with the contribution of the Programme of Technical Assistance in narcotics control.

75. Reference was made to the United Nations Conference for the Adoption of a Single Convention on

Narcotic Drugs, to be held in New York early in 1961, and the hope expressed that action on an international and regional scale would be facilitated as a result of the Conference.

TEACHING OF THE PURPOSES AND PRINCIPLES, THE STRUCTURE AND ACTIVITIES OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES IN SCHOOLS AND OTHER EDUCATIONAL INSTITUTIONS OF MEMBER STATES

76. Several delegations, commenting on the four-year report on this subject,<sup>25</sup> welcomed the progress which had been made in teaching about the work of the United Nations, and found it encouraging that public interest had grown considerably during recent years. The important part played by the United Nations Educational, Scientific and Cultural Organization (UNESCO) was stressed and its work commended.

77. At the 990th meeting, Afghanistan, Brazil, Burma, Canada, Costa Rica, Ghana, Japan Netherlands, New Zealand and Sudan submitted a draft resolution (A/C.3/L.850), which read as follows:

*"The General Assembly,*

*"Recalling its resolution 137 (II) of 17 November 1947, which recommended to all Member Governments that they take measures to encourage the teaching of the purposes and principles, the structure and activities of the United Nations in schools,*

*"Noting the action which the Economic and Social Council has taken in the intervening years in promoting this objective,*

*"Noting particularly Economic and Social Council resolution 748 (XXIX) of 6 April 1960,*

*"1. Believes that teaching about the United Nations and its related agencies in schools is important as a means of promoting interest in and support for their work;*

*"2. Believes further that knowledge and understanding of the aims and activities of the United Nations and its related agencies contribute to the fostering among young people of the ideas of peace and international co-operation and should therefore be promoted as widely as possible;*

*"3. Endorses the action taken by the Economic and Social Council in encouraging the implementation of the recommendation contained in General Assembly resolution 137 (II);*

*"4. Expresses its appreciation of the co-operation shown by the specialized agencies and the non-governmental organizations in advancing the United Nations idea;*

*"5. Urges all those concerned to continue their efforts to promote in schools the teaching of the purposes and principles, the structure and activities of the United Nations and its related agencies."*

78. The representative of New Zealand, introducing the draft resolution, stressed that general appreciation and understanding of the work of the United Nations and the specialized agencies was essential to the realization of the purposes set forth in the United Nations Charter and in the constitutions of the agencies. It was

suggested that in disseminating such knowledge through the schools, particularly at primary school level, aims and ideals should be emphasized, rather than structure and activities, which could more readily be appreciated when pupils were in more advanced classes. It was pointed out that adoption of the draft resolution would be timely at the fifteenth session of the General Assembly when so many new Member States were represented for the first time.

79. The draft text was widely supported by delegations, which referred to the particular measures adopted in their own countries for ensuring that information about the United Nations was disseminated at all age levels and throughout all areas. It was emphasized that stress should be laid on aims and ideals, and that an accurate appreciation of the possibilities and the limitations of the Organization would offer the best guard against disillusionment. Reference was made to teaching in various types of educational institutions and to the activities of the United Nations information centres. It was stated that the co-operation of non-governmental organizations, and in particular of United Nations Associations, had been most valuable.

80. Some criticism was expressed of proposals directed against the structure and activities of the United Nations.

81. The representative of Saudi Arabia proposed that, in view of the outstanding work done by UNESCO in teaching about the aims and activities of the United Nations, operative paragraph 4 of the draft resolution (A/C.3/L.850) should be amended to read: *"Expresses its appreciation of the co-operation shown by UNESCO and the other specialized agencies . . ."*

82. Bolivia submitted an amendment (A/C.3/L.855) to the draft resolution to insert the following two paragraphs between operative paragraphs 2 and 3:

*"3. Believes that teaching about the United Nations and the specialized agencies should be extended by means of radio broadcasts to villages and rural areas which do not possess the facilities required for that purpose;*

*"4. Urges that teaching about the United Nations and the specialized agencies should be made compulsory and introduced gradually in the curricula of primary schools and of public and private secondary schools and in faculties of law and institutes of political and social science."*

and to renumber subsequent paragraphs accordingly.

83. The representative of Bolivia considered that the text of the draft resolution would be more effective if it specifically suggested radio broadcasting as a method of teaching about the United Nations in rural areas, and if it urged that instruction in these subjects should be made compulsory in primary and secondary schools and in some institutions of higher learning.

84. The sponsors of the draft resolution (A/C.3/L.850) accepted the Saudi Arabian oral amendment. They endorsed the ideas underlying the Bolivian amendment (A/C.3/L.855) and stated that they would revise certain paragraphs of the original draft in order to embody the concepts outlined by the representative of Bolivia.

85. The sponsors of the draft resolution, having been joined by Bolivia, Honduras, India, Iran and Mexico, submitted a revised text (A/C.3/L.850/Rev.1) in which operative paragraphs 4, 5 and 6 read as follows:

<sup>25</sup> Official Records of the Economic and Social Council, Twenty-ninth Session, Annexes, agenda item 13, documents E/3322 and Add.1-3.

"4. *Expresses its appreciation* of the co-operation shown by UNESCO and the other specialized agencies and the non-governmental organizations in advancing the United Nations idea;

"5. *Urges* all those concerned to continue their efforts to promote in primary and secondary schools, as well as faculties of social and human sciences and in audio-visual education centres, the teaching of the purposes and principles, the structure and activities of the United Nations and its related agencies;

"6. *Invites* UNESCO, with the co-operation of the United Nations, to assist by preparing basic material which may be used for these purposes."

86. At the 998th meeting, the draft resolution (A/C.3/L.850/Rev.1) was adopted unanimously (see paragraph 88, draft resolution V, below).

#### INTERNATIONAL RELATIONS AND EXCHANGES IN THE FIELDS OF EDUCATION, SCIENCE AND CULTURE

87. Some delegations congratulated UNESCO on its survey on the above subject (E/3352 and Corr.1 and Add.1) and emphasized the importance of organizing exchanges of persons and information, and of developing peaceful relations between different countries, as well as of encouraging the flow of economic assistance from developed to under-developed countries. Several delegations stated that the UNESCO survey should have made recommendations on practical measures as well as assembling factual material. Some delegations suggested that UNESCO might be asked to formulate principles for bilateral, regional and international action in that sphere; others that a draft convention should be prepared.

#### *Recommendations of the Third Committee*

88. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

#### I

#### UNITED NATIONS CHILDREN'S FUND

[*Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

#### II

#### LOW-COST HOUSING AND RELATED COMMUNITY FACILITIES

[*Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

#### III

#### UNITED NATIONS ASSISTANCE FOR THE ADVANCEMENT OF WOMEN IN DEVELOPING COUNTRIES

[*Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

#### IV

#### MANIFESTATIONS OF RACIAL AND NATIONAL HATRED

[*Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

#### V

#### TEACHING OF THE PURPOSES AND PRINCIPLES, THE STRUCTURE AND ACTIVITIES OF THE UNITED NATIONS AND ITS RELATED AGENCIES

[*Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

### DOCUMENT A/4655

#### Report of the Economic and Social Council (chapter VII, section II, paragraph 645)

#### Report of the Sixth Committee

[*Original text: English*  
[16 December 1960]]

1. In chapter VII, section II, paragraph 645 of its report (A/4415), the Economic and Social Council recommended the following draft resolution for adoption by the General Assembly:

"*The General Assembly,*

"*Noting* that the Economic and Social Council and most of the specialized agencies have adopted rules of procedure providing for prior consultation before taking action on matters of concern to each other.

"*Decides*, in conformity with this practice, henceforth to ensure that prior consultations have taken place with the specialized agency or agencies concerned before adopting any project or proposal relating to matters of direct concern to such agency or agencies."

2. The General Assembly, at its 881st plenary meeting, on 1 October 1960, placed on the agenda of its fifteenth session the item entitled "Report of the Economic and Social Council" and decided that paragraph 645 of the said report would be referred to the Second and Third Committees for any comments and then to the Sixth Committee for consideration and report.

3. The Chairman of the Third Committee, by a letter dated 2 November 1960 addressed to the Chairman of the Sixth Committee (A/C.6/L.469 and Corr.1), transmitted a compilation of views on paragraph 645 expressed by members of the Third Committee.

4. In a letter dated 18 November 1960 (A/C.6/L.475), the Chairman of the Sixth Committee was informed by the Chairman of the Second Committee that no comments had been registered on paragraph 645 in that Committee.

5. The Secretariat submitted a note (A/C.6/L.476) which (1) gave the background of the question; (2) summarized the existing arrangements for consultation of the specialized agencies by the General Assembly; and (3) presented some views on the desirability of improving existing arrangements.

6. The Sixth Committee considered the item at its 681st to 686th meetings, held between 5 and 14 December 1960.

7. At the invitation of the Chairman, representatives of the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the

United Nations Educational, Scientific and Cultural Organization and the World Health Organization made statements before the Committee.

#### PROPOSALS AND AMENDMENT

8. Denmark, the Netherlands, New Zealand and the United States of America submitted the following draft resolution (A/C.6/L.479):

*"The General Assembly,*

*"Noting that the Economic and Social Council and most of the specialized agencies have adopted rules of procedure providing for prior consultation before taking action on matters of concern to each other,*

*"Decides to include in its rules of procedure the following rule:*

*"CONSULTATION WITH OTHER BODIES*

#### *"Rule 11a*

*"1. Where an item proposed for the provisional agenda or the supplementary list of items for a session contains a proposal for new activities to be undertaken by the United Nations relating to matters which are of direct concern to one or more specialized agencies, the Secretary-General shall enter into consultation with the agency or agencies concerned and report to the General Assembly on the means of achieving co-ordinated use of the resources of the respective agencies.*

*"2. Where a proposal put forward in the course of a meeting for new activities to be undertaken by the United Nations relates to matters which are of direct concern to one or more specialized agencies, the Secretary-General shall, after such consultation as may be possible with the representatives at the meeting of the other agency or agencies concerned, draw the attention of the meeting to these implications of the proposal."*

9. The sponsors announced later that they would not press for a vote on their draft resolution.

10. Costa Rica and Pakistan submitted the following draft resolution (A/C.6/L.480):

*"The Sixth Committee,*

*"Having considered paragraph 645 of the report of the Economic and Social Council (A/4415) and the letters received on this matter from the Second Committee (A/C.6/L.475) and the Third Committee (A/C.6/L.469 and Corr.1),*

*"Taking into consideration the opinions expressed during its debate,*

*"Decides to submit no recommendation on the matter at the present session of the General Assembly."*

11. The representative of Brazil submitted an oral amendment to that draft resolution calling for the insertion of the word "different" before the words "opinions expressed" in the second preambular paragraph.

12. The sponsors of the draft resolution accepted the Brazilian amendment.

#### DEBATE

13. The members of the Committee recognized the importance of the effective co-ordination of the actions of the General Assembly and of the agencies in relationship with the United Nations, through consultation in

all appropriate cases. There were, however, different opinions as to whether this objective made further action by the General Assembly desirable, and, in particular, as to whether an amendment to its rules of procedure would contribute to the results aimed at.

14. A number of delegations thought that, while the draft resolution recommended by the Economic and Social Council in paragraph 645 of its report (A/4415) was perhaps too rigid in that it required consultation and that it went beyond the provisions of the Councils own rules of procedure, nevertheless, it would be desirable for the General Assembly to adopt a provision based on rule 80 of the Council's rules, which would correspond to numerous similar provisions on consultation adopted by organs of the specialized agencies. They, therefore, supported the four-Power draft resolution (A/C.6/L.479). A rule such as that proposed in the draft resolution, they considered, would improve the co-ordination between the General Assembly and the specialized agencies and would respect the competence of those agencies without limiting the freedom of action of the General Assembly. Nevertheless, those delegations thought that it might be preferable for the problem to be studied more fully in the context of a general review which might be made of the methods and procedures of the General Assembly and in the light of fuller information on the views of the Second and Third Committees. Consequently, the sponsors of the four-Power draft resolution did not press for a vote on their text.

15. Other delegations, while, in general, sharing the views of those who stressed the importance of consultation with the specialized agencies, thought that, rather than amending the General Assembly's rules of procedure, it would be preferable to propose a simpler and more general draft resolution inviting the attention of all concerned to the desirability of consultation such as had been carried out in the past.

16. A great number of speakers considered that it was not desirable, at least at the present session, to take any action on the problem, as they did not believe that any practical need for doing so was apparent from the information placed before the Sixth Committee. Though some delegations had expressed views in the Third Committee, neither the Second or the Third Committee had crystallized their views on the subject, and the views of the Main Committees principally concerned with the Economic and Social Council and its function of co-ordination were a prerequisite for a decision. In their view, the statements made to the Sixth Committee by the representatives of several specialized agencies, citing the rules and practice of those agencies, furnished no compelling arguments for action. There was no reason why the General Assembly should necessarily adopt a rule like that of the Economic and Social Council or of certain agencies. The status of the General Assembly, some stated, was different both in law and fact from that of the specialized agencies; under the Charter, the Assembly's power to discuss and recommend was not restricted to any special field, and, in fact, the Assembly was the body most fully representative of the desires of States. Therefore, it was undesirable to change the present practice regarding consultation, which had not proved unsatisfactory, or to adopt provisions which, in their view, would infringe upon the General Assembly's freedom of action and would needlessly delay its decisions. The General Assembly should remain free, as in the past, to determine whether it was appropriate to take time for consultations.

17. Consequently, they opposed any draft resolution or change in the rules of procedure so long as the need for such a step was not clearly proven.

18. In the opinion of some representatives, the adoption of a formal rule according to which the General Assembly should enter into consultation before taking action would limit the competence of the General Assembly, contrary to the Charter of the United Nations.

19. Towards the end of the debate, the consensus of the Committee was that the Sixth Committee should decide to submit no recommendation on the matter at the present session.

## VOTING

20. At its 686th meeting, on 14 December 1960, the Sixth Committee unanimously adopted the draft resolution submitted by Costa Rica and Pakistan (A/C.6/L.480), as orally amended by Brazil (see paras. 10-12 above).

## DECISION

21. Consequently, the Sixth Committee has no recommendation to submit to the General Assembly on the "Report of the Economic and Social Council (chapter VII, section II, paragraph 645)".

## DOCUMENT A/4664

### Report of the Economic and Social Council (chapter VII, section I, and chapter IX) Report of the Fifth Committee

[Original text: English]  
[16 December 1960]

1. Under the allocation of agenda items by the General Assembly, the Fifth Committee was asked to consider and report to the Assembly on section I of chapter VII and on chapter IX of the report of the Economic and Social Council (A/4415).

2. The Fifth Committee considered section I of chapter VII of the report—regarding programme appraisals in the economic, social and human rights fields—in connexion with its consideration of item 54 (Administrative and budgetary co-ordination of the United Nations with the specialized agencies and with the International Atomic Energy Agency). Its action is reflected in its report on that item.<sup>26</sup>

3. On the basis of revised estimates submitted by the Secretary-General<sup>27</sup> and reported on by the Advisory Committee on Administrative and Budgetary Questions,<sup>28</sup> the Fifth Committee considered the financial implications of actions of the Council (chapter IX of the Council's report) in the course of its consideration of the budget estimates for 1961. The action of the Committee on these estimates is reflected in the budget appropriations recommended for 1961.

<sup>26</sup> *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 54, document A/4662.

<sup>27</sup> *Ibid.*, agenda item 50, document A/C.5/819.

<sup>28</sup> *Ibid.*, document A/4523.

## ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 943rd plenary meeting, on 12 December 1960, the General Assembly adopted draft resolutions I, II, III, IV and V submitted by the Third Committee (A/4615, para. 88). For the final texts, see resolutions 1507 (XV), 1508 (XV), 1509 (XV), 1510 (XV) and 1511 (XV) below.

At its 954th plenary meeting, on 18 December 1960, the General Assembly took note of chapter I, chapter VII (except sections I, II (paragraph 645), IV and V) and chapter VIII of the report of the Economic and Social Council (A/4415). At the same meeting it also took note of the report of the Fifth Committee (A/4664) and the report of the Sixth Committee (A/4655) on agenda item 12.

### Resolutions adopted by the General Assembly

#### 1507 (XV). UNITED NATIONS CHILDREN'S FUND

*The General Assembly,*

*Welcoming* the action of the Executive Board of the United Nations Children's Fund in elaborating the activities to be undertaken by the Fund, within the framework of its responsibilities, in helping countries give effect to the high principles proclaimed in the Declaration of the Rights of the Child,

*Recognizing* the significant contribution the Fund is making to better living conditions in developing countries and the manner in which it reinforces the effectiveness of other measures taken to this end,

*Noting* that the Fund is taking steps to ascertain the priority needs of children in present changing conditions

and to identify the fields in which it might assist in order to contribute to the greatest possible extent to the present and future welfare of children,

1. *Commends* the United Nations Children's Fund on its achievements;

2. *Encourages* the Fund to increase aid to countries passing through difficult transitional stages, particularly in Africa, without prejudicing the level of aid to other countries requiring assistance;

3. *Expresses* the hope that the Fund will receive the necessary financial support to enable it not only to continue its successful work but also increasingly to meet the challenge of extending its services.

943rd plenary meeting,  
12 December 1960.

1508 (XV). LOW-COST HOUSING AND RELATED  
COMMUNITY FACILITIES

*The General Assembly,*

*Recalling* its resolution 1393 (XIV) of 20 November 1959 regarding low-cost housing,

*Having noted* section I of chapter V of the report of the Economic and Social Council (A/4415) on progress made towards the implementation of the long-range programme of concerted international action in the field of housing and related community facilities,

*Recognizing* the importance of adequate housing and community facilities and services for a rise in the levels of living of the lower income groups in the congested urban areas,

*Recognizing* the significant role of Governments in the planning, financing and execution of programmes for low-cost housing and community facilities,

*Considering* that, owing to limited resources, the developing and newly independent countries have difficulty in meeting demands for simultaneous investment in economic development projects and in housing, health and education,

*Recognizing* the need to utilize more fully the peoples' own resources and the local sources of materials and finances for the solution of the housing and urban development problem,

1. *Requests* Member States to review their housing requirements, policies and programmes as well as the extent of investment in this field from all sources in their countries, and to indicate to the United Nations the areas in which outside assistance is most needed;

2. *Requests* the Secretary-General, in connexion with the concerted programme of practical action in this field, to investigate in consultation with interested Member States the possibility of obtaining technical services, equipment and funds for establishing or multiplying pilot projects:

(a) In low-cost housing and related community facilities, services and utilities in the areas of rapid urbanization in the developing countries;

(b) In the production from local sources of suitable materials, accessories and construction elements and equipment for the execution of housing and urban development programmes;

3. *Further requests* the Economic and Social Council to investigate, on the basis of work already done by its functional commissions and regional economic commissions, the possibilities for domestic and international financing of low-cost housing programmes in less developed countries;

4. *Invites* the Economic and Social Council to submit to the General Assembly a report on the implementation of the present resolution together with the comments of the Social Commission, the regional economic commissions and the specialized agencies concerned.

*943rd plenary meeting,  
12 December 1960.*

1509 (XV). UNITED NATIONS ASSISTANCE FOR THE  
ADVANCEMENT OF WOMEN IN DEVELOPING COUNTRIES

*The General Assembly,*

*Taking note* of section VIII of chapter VI of the report of the Economic and Social Council (A/4415) and of Council resolution 771 H (XXX) of 25 July

1960 concerning United Nations assistance for the advancement of women in under-developed countries,

*Recalling* General Assembly resolution 1163 (XII) of 26 November 1957 concerning the work of the Commission on the Status of Women and the progress achieved in the field of women's rights.

*Noting with satisfaction* that the Commission is showing a special interest in the condition of women in developing countries,

1. *Expresses the hope* that the Governments of Member States, and particularly those of the developing countries, will take full advantage of existing United Nations programmes designed to improve the status of women, that they will collaborate with the Secretary-General in the study which he has undertaken in compliance with Economic and Social Council resolution 771 H (XXX) and that the United Nations and the specialized agencies will, for their part, direct their programmes to a greater extent towards achieving this end;

2. *Invites* the Economic and Social Council and the Commission on the Status of Women to pursue their efforts in the matter and take, in connexion with this study, appropriate measures that would lead to special assistance by the United Nations and the specialized agencies for the advancement of women in the developing countries.

*943rd plenary meeting,  
12 December 1960.*

1510 (XV). MANIFESTATION OF RACIAL AND  
NATIONAL HATRED

*The General Assembly,*

*Recalling* that the fundamental purposes of the United Nations are to maintain international peace and security and to develop friendly relations among nations and that, to this end, it is necessary to strengthen co-operation among peoples and nations and to educate the younger generation in this spirit,

*Noting with gratification* that the manifestations of racial and national hatred, religious intolerance and racial prejudice which still exist in the world have been consistently condemned by the United Nations,

*Sharing the grave concern* of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities about these manifestations,

*Being alarmed* by the fact that tendencies to racial and national hatred are still not sufficiently combated in many parts of the world by orienting youth in accordance with the spirit of the Charter of the United Nations,

*Expressing the principle* that the United Nations is duty bound to combat these manifestations, to establish the facts and the causes of their origin, and to recommend resolute and effective measures which can be taken against them,

1. *Resolutely condemns* all manifestations and practices of racial, religious and national hatred in the political, economic, social, educational and cultural spheres of the life of society as violations of the Charter of the United Nations and the Universal Declaration of Human Rights;

2. *Calls upon* the Governments of all States to take all necessary measures to prevent all manifestations of racial, religious and national hatred.

*943rd plenary meeting,  
12 December 1960.*

1511 (XV). TEACHING OF THE PURPOSES AND PRINCIPLES, THE STRUCTURE AND ACTIVITIES OF THE UNITED NATIONS AND ITS RELATED AGENCIES

*The General Assembly,*

Recalling its resolution 137 (II) of 17 November 1947, which recommended to the Governments of all Member States that they take measures to encourage the teaching of the purposes and principles, the structure and activities of the United Nations in schools,

Noting the action which the Economic and Social Council has taken in the intervening years in promoting this objective,

Noting in particular Economic and Social Council resolution 748 (XXIX) of 6 April 1960,

1. *Believes* that teaching about the United Nations and its related agencies in schools is important as a means of promoting interest in, and support for, their work;

2. *Believes further* that knowledge and understanding of the aims and activities of the United Nations and its related agencies contribute to the fostering among young people of the ideas of peace and international co-operation and should therefore be promoted as widely as possible;

3. *Endorses* the action taken by the Economic and Social Council in encouraging the implementation of the recommendation contained in General Assembly resolution 137 (II);

4. *Expresses its appreciation* of the co-operation shown by the United Nations Educational, Scientific and Cultural Organization and the other specialized agencies and the non-governmental organizations in advancing the United Nations idea;

5. *Urges* all those concerned to continue their efforts to promote in primary and secondary schools, as well as in faculties of the social and human sciences and in audio-visual education centres, the teaching of the purposes and principles, the structure and activities of the United Nations and its related agencies;

6. *Invites* the United Nations Educational, Scientific and Cultural Organization, with the co-operation of the United Nations, to assist by preparing basic material which may be used for these purposes.

943rd plenary meeting,  
12 December 1960.

### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 12 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4415	Report of the Economic and Social Council (1 August 1959—5 August 1960)	<i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 3</i>
A/C.3/589	Letter dated 6 December 1960 from the President of the General Assembly to the Chairman of the Third Committee	Mimeographed
A/C.3/L.844	Note by the Chairman of the Third Committee	Ditto
A/C.3/L.846	Statement made by the Director of the Bureau of Social Affairs at the 982nd meeting of the Third Committee	Mimeographed; for summary see <i>Official Records of the General Assembly, Fifteenth Session, Third Committee, 982nd meeting, paras. 16-28</i>
A/C.3/L.847	United Nations assistance for the advancement of women in developing countries: Afghanistan, Greece, Liberia, Morocco, Nigeria, Pakistan and Tunisia: draft resolution	See A/4615, para. 45
A/C.3/L.847/Rev.1	United Nations assistance for the advancement of women in developing countries: Afghanistan, Greece, Liberia, Morocco, Nigeria, Pakistan and Tunisia: draft resolution	See A/4615, paras. 45 and 51
A/C.3/L.848	Manifestations of racial and national hatred: Czechoslovakia: draft resolution	See A/4615, para. 56
A/C.3/L.848/Rev.1	Manifestations of racial and national hatred: Czechoslovakia: revised draft resolution	See A/4615, paras. 56 and 59
A/C.3/L.848/Rev.2	Manifestations of racial and national hatred: Czechoslovakia: revised draft resolution	See A/4615, paras. 56, 59 and 65
A/C.3/L.849	United Nations Children's Fund: Afghanistan, Australia, Colombia, Denmark, Ghana, Greece, Indonesia, Mexico, New Zealand, Nigeria, Pakistan, Senegal, Tunisia and Yugoslavia: draft resolution	Adopted without change. See A/4615, para. 88, draft resolution I
A/C.3/L.850	Teaching of the purposes and principles, the structure and activities of the United Nations and its related agencies: Afghanistan, Brazil, Burma, Canada, Costa Rica, Ghana, Japan, Netherlands, New Zealand and Sudan: draft resolution	See A/4615, para. 77
A/C.3/L.850/Rev.1	Teaching of the purposes and principles, the structure and activities of the United Nations and its related agencies: Afghanistan, Bolivia, Brazil, Burma, Canada, Costa Rica, Ghana, Honduras, India, Iran, Japan, Mexico, Netherlands, New Zealand and Sudan: revised draft resolution	See A/4615, paras. 77 and 85
A/C.3/L.851	Low-cost housing: Ethiopia, Ghana, Indonesia, Libya, Morocco, Nigeria, Peru, Somalia and Yugoslavia: draft resolution	See A/4615, para. 28

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.3/L.851/ Rev.1	Low-cost housing and related community facilities: Afghanistan, Ethiopia, Ghana, Indonesia, Libya, Morocco, Nigeria, Peru, Somalia and Yugoslavia: revised draft resolution	See A/4615, paras. 28 and 32
A/C.3/L.852	Training and education in countries in process of development, especially in Africa: Ethiopia, Guinea, Morocco, Nigeria and Senegal: draft resolution	Replaced by A/C.3/L.852/ Rev.1
A/C.3/L.852/ Rev.1	Training and education in countries in process of development, especially in Africa: Ethiopia, Guinea, Morocco, Nigeria and Senegal: revised draft resolution	Not dealt with
A/C.3/L.853	Morocco: amendment to document A/C.3/L.848	See A/4615, para. 60
A/C.3/L.855	Bolivia: amendment to document A/C.3/L.850	See A/4615, para. 82
A/C.3/L.856	Poland: amendments to document A/C.3/L.847	See A/4615, para. 47
A/C.3/L.856/ Rev.1	Poland: revised amendments to document A/C.3/L.847	See A/4615, paras. 47 and 48
A/C.3/L.857	Saudi Arabia: amendment to document A/C.3/L.848/Rev.1	See A/4615, para. 63
A/C.3/L.858	Netherlands and Norway: amendment to document A/C.3/L.848/Rev.2	See A/4615, para. 67
A/C.3/L.859 and Corr.1	Saudi Arabia: amendment to document A/C.3/L.848/Rev.2	See A/4615, para. 66
A/C.3/L.862	Text of draft resolutions adopted by the Third Committee at its 995th and 998th meetings	Mimeographed. See A/4615, para. 88
A/C.3/L.882	Note by the Secretary-General	Mimeographed
A/C.6/L.479	Report of the Economic and Social Council (chapter VII, section II, paragraph 645): Denmark, Netherlands, New Zealand and United States of America: draft resolution	See A/4655, para. 8
A/C.6/L.480	Report of the Economic and Social Council (chapter VII, section II, paragraph 645): Costa Rica and Pakistan: draft resolution	See A/4655, para. 10
E/3335 — E/CN.4/804	Report of the Commission on Human Rights on its sixteenth session (29 February-18 March 1960)	<i>Official Records of the Economic and Social Council, Thirtieth Session, Supplement No. 8</i>
E/3352 and Corr.1 and Add.1	Survey of international relations and exchanges in the fields of education, science and culture: report by the Director-General of UNESCO	Mimeographed
E/3360 — E/CN.6/367	Report of the Commission on the Status of Women on its fourteenth session (28 March-14 April 1960)	<i>Official Records of the Economic and Social Council Thirtieth Session, Supplement No. 7</i>
E/3385 — E/CN.7/395	Report of the Commission on Narcotic Drugs on its fifteenth session (25 April-13 May 1960)	<i>Ibid., Supplement No. 9</i>
E/CN.4/800 E/CN.4/Sub. 2/206	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (twelfth session)	Mimeographed
E/CN.4/802/ Add.1 — E/CN.6/363	Note by the Secretary-General	Ditto



**Agenda item 12: Report of the Economic and Social Council (chapters II, III, IV and VII (paragraph 645))\***

**Agenda item 29: Economic development of under-developed countries:\***

- (a) **International flow of private capital: report of the Secretary-General and recommendations thereon by the Economic and Social Council;**
- (b) **Question of the establishment of a United Nations capital development fund: report of the Secretary-General;**
- (c) **Methods and techniques for carrying out a study of world economic development: report of the Secretary-General and comments thereon by the Economic and Social Council;**
- (d) **Promotion of wider trade co-operation among States: report of the Secretary-General**

**Agenda item 74: Land reform\***

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Second Committee*, 647th, to 707th, 709th, 710th and 714th meetings; *ibid.*, *Fifth Committee*, 822nd meeting; and *ibid.*, *Plenary Meetings*, 908th, 948th and 954th meetings.

<sup>1</sup> At its 645th meeting, the Second Committee decided to consider together questions concerning general economic problems arising from General Assembly agenda items 12, 29 and 74. For documentation on other questions arising from item 12 considered by the Third, Fifth and Sixth Committees, see the fascicle of annexes concerned with agenda item 12.

## DOCUMENT A/4439

**Cuba: request for the inclusion of a supplementary item in the agenda of the fifteenth session**

[Original text: Spanish]  
[18 August 1960]

LETTER DATED 17 AUGUST 1960 FROM THE PERMANENT REPRESENTATIVE OF CUBA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to request that the item "Land reform" be included in the agenda of the fifteenth session of the General Assembly.

An explanatory memorandum is attached, in accordance with rule 20 of the rules of procedure of the General Assembly.

(Signed) Manuel BISBÉ  
Ambassador  
Permanent Representative of Cuba  
to the United Nations

## EXPLANATORY MEMORANDUM

1. At the fourteenth regular session of the General Assembly the Cuban delegation pointed out the importance to under-developed countries of the transformation of their agrarian structure, in order (a) to improve land distribution; (b) to create and extend the domestic market for various industrial and agricultural products; and (c) to achieve the conditions necessary for industrial development, the diversification of agriculture and the balanced integration of industry with agriculture.

2. The item "Land reform", which was included in the agendas of the fifth, sixth, seventh and ninth regular sessions of the General Assembly, has not appeared in its agenda since 1954; this item, which is so essential

for the economic development of the under-developed countries, has not been given the attention it deserved by the General Assembly.

3. In the years between the ninth regular session, at which the General Assembly adopted resolution 826 (IX), and the fourteenth session, certain countries carried out—and are at present carrying out—different programmes of agrarian reform tending towards the achievement of the objectives mentioned in paragraph 1 of this memorandum.

4. The Cuban delegation sponsored a draft resolution on agrarian reform which was accepted by the Second Committee and adopted by the General Assembly on 5 December 1959 at the 846th plenary meeting of the fourteenth regular session.

5. Resolution 1426 (XIV), referred to in paragraph 4 above, while again bringing the problem of land reform before the General Assembly, fails to make provision for the thorough and exhaustive analysis which the subject requires, since it restricts the report of the Secretary-General to the narrow lines of the prospectus referred to in Economic and Social Council resolution 712 (XXVII).

6. In view of the importance to the under-developed countries of the transformation of their agrarian structure, the Revolutionary Government of Cuba believes that the General Assembly will wish to consider this vitally important question again at its fifteenth regular session and to this end the Cuban delegation requests that the item "Land reform" be included in the provisional agenda of the fifteenth session.

## DOCUMENT A/4487

**International flow of private capital****Note by the Secretary-General**

[Original text: English]  
[13 September 1960]

1. In resolution 1318 (XIII) the General Assembly requested the Secretary-General "to prepare a report concerning measures in operation or contemplated, both in capital-exporting and capital-importing countries, for the channelling of an increasing flow of private capital investment into the development of under-developed countries under mutually satisfactory arrangements". It further invited him "to submit his report to the Economic and Social Council at its twenty-ninth session for transmission, with the Council's recommendations, to the General Assembly for consideration at its fifteenth session".

2. A progress report by the Secretary-General on the promotion of the international flow of private capital was accordingly prepared and submitted to the Economic and Social Council at its twenty-ninth session (A/3325 and Corr.1-3). The Council, in resolution 762 (XXIX) of 21 April 1960, requested the Secretary-

General to transmit his progress report to the General Assembly. It invited him, having regard to the discussion at the twenty-ninth session of the Council and at the fifteenth session of the General Assembly and to the views of Member States, specialized agencies and appropriate inter-governmental and non-governmental sources, to submit a further report to the Council at its thirty-first session concerning measures—including measures to facilitate the adjustment of disputes related to private investments—designed to promote the flow of private capital. This further report is to be considered by the Council at its thirty-first session, when it will prepare comments for transmittal to the General Assembly at its sixteenth session.

3. The progress report by the Secretary-General (E/3325 and Corr.1-3) is available to the General Assembly.

## DOCUMENT A/4488

## Question of the establishment of a United Nations capital development fund

## Report by the Secretary-General

[Original text: English]  
[13 September 1960]

1. In its resolution 1424 (XIV) of 5 December 1959, the General Assembly requested the Secretary-General "to examine, in consultation with the Governments of Member States, ways and means of making further progress towards the early establishment of a United Nations capital development fund". The Secretary-General was further invited by the General Assembly "to report on this matter to the Economic and Social Council at its thirtieth session and to the General Assembly at its fifteenth session".

2. The Secretary-General, in a communication of 30 March 1960 to Member States, drew their attention to this resolution of the General Assembly and, in accordance with its provisions, requested the expression of their views on the early establishment of a United Nations capital development fund.

3. Replies have been received from the Governments of the following countries:

Australia	Canada
Byelorussian Soviet Socialist Republic	Ceylon
	Czechoslovakia

Ecuador  
France  
Guatemala  
Iraq  
New Zealand  
Norway  
Sudan  
Turkey

Ukrainian Soviet Socialist Republic  
Union of Soviet Socialist Republics  
United Kingdom of Great Britain and Northern Ireland  
United States of America  
Yugoslavia

4. The Secretary-General reported to the Economic and Social Council at its thirtieth session in accordance with General Assembly resolution 1424 (XIV), transmitting the replies which had been received from Governments. He indicated that these replies did not show any significant new developments in connexion with the establishment of a United Nations capital development fund. His report and the replies, which are now submitted to the General Assembly, are contained in documents E/3393 and Add.1-4.

## DOCUMENTS A/4489 AND ADD.1

## Document A/4489

## Methods and techniques for carrying out a study of world economic development

## Note by the Secretary-General

[Original text: English]  
[13 September 1960]

1. In resolution 1428 (XIV) of 5 December 1959, the General Assembly referred to the need for a study of various problems connected with world economic development and mentioned specifically Economic and Social Council resolution 741 (XXVIII) of 31 July 1959 under which the Secretary-General was requested to report on the techniques of long-term economic projections. During the discussion in the Assembly the Secretary-General's representative noted that the techniques most likely to be useful in making studies of world economic development are those involved in the making of economic projections.

2. In the light of these resolutions, the Secretary-General addressed a questionnaire to Governments, the specialized agencies and a number of other inter-governmental organizations, asking for a summary account of research projects that may have been carried out in the field of long-term economic projections.

3. The Secretary-General duly submitted a report on economic projections to the Economic and Social Council at its thirtieth session. This report (E/3379 and Add.1-6) is available to the General Assembly in accordance with the terms of resolution 1428 (XIV). The Secretary-General's report covers in a preliminary way not only the "summary account" of long-term

economic projections that had been made up to date and "the problems encountered in their preparation" to which the Council had referred in its resolution, but also a brief review of methods and techniques of studying the long-term economic progress of the world to which the Assembly had made reference. The addenda to the report contain the text of the questionnaire and the replies received.<sup>2</sup>

4. After consideration of the report, the Council adopted resolution 777 (XXX) of 3 August 1960 in which it expressed the view that it is desirable to continue efforts at both the national and the international levels to improve the techniques and reliability of projections in economic and social fields. It considered that the principal immediate objective in relation to the preparation of projections on an international basis was to advance towards the solution of problems relating to methodology, comparability and collation and the overcoming of deficiencies in data. The Council took note of the preliminary report (E/3379 and Add.1-6) and requested the Secretary-General to intensify his activities in the field of economic and social projections,

<sup>2</sup> As at 7 September 1960 replies had been received from the following Governments and bodies: Australia, Austria, Belgium, Canada, Ceylon, Chile, China, Costa Rica, Czechoslovakia, Denmark, El Salvador, Federal Republic of Germany, Federation of Malaya, Finland, France, India, Iraq, Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Panama, Philippines, Poland, Portugal, Republic of Korea, Spain, Switzerland, Thailand, Union of Soviet Socialist Republics, United States of America, International Labour Organisation, International Bank for Reconstruction and Development, European Council for Economic Mutual Aid (Molotov Plan), European Coal and Steel Community, European Economic Community, Organization of American States, Organisation for European Economic Co-operation.

including work on the collection, standardization and processing of the relevant data, and on the development of techniques for making medium- and long-term projections, drawing so far as practicable upon the services of experts at present available in the United Nations, the specialized agencies and other competent international bodies. It authorized the Secretary-General to convene such meetings of experts from representative groups of national Governments as he deemed appropriate for the purpose of further evaluation of techniques of medium- and long-term projections, particularly in the economic field; it recommended that the regional economic commissions continue their activities in this field in particular by encouraging and facilitating the preparation and supply by their member States of information relating to projections, and by arranging for appropriate technical advice and the collation of data; and it invited States Members of the United Nations and members of the specialized agencies to co-operate with the Secretary-General, the specialized

agencies and the regional economic commissions, by taking measures to improve their techniques of projection, by providing certain information and by participating in seminars and other meetings designed to improve the utility and availability of national and international economic and social projections.

### **Document A/4489/Add.1**

#### **Addendum**

[Original text: English]  
[17 November 1960]

The Secretary-General has the honour to call to the attention of Members of the General Assembly an addendum (E/3379/Add.7) to his report on long-term economic projections to the Economic and Social Council at its thirtieth session. In accordance with General Assembly resolution 1428 (XIV), this addendum is available to the Members of the General Assembly.

### **DOCUMENT A/4490**

#### **Promotion of wider trade co-operation among States**

##### **Note by the Secretary-General**

[Original text: English]  
[13 September 1960]

1. In resolution 1421 (XIV) of 5 December 1959, the General Assembly requested the Secretary-General "to prepare a report on the ways and means of promoting wider trade co-operation among States, irrespective of their economic systems and stages of development, including, *inter alia*, the consideration of all the arrangements for such co-operation". It further requested the Secretary-General "to submit this report to the Economic and Social Council at its thirtieth session and to the General Assembly at its fifteenth session".

2. The Secretary-General interpreted the task entrusted to him under resolution 1421 (XIV) as a twofold one, involving an examination of trade relations (a) between centrally-planned and predominantly market economies, and (b) between economically under-

developed countries and countries at a relatively advanced stage of economic development. The preliminary report (E/3389) submitted to the Economic and Social Council at its thirtieth session dealt only with the first of these two subjects.

3. On 3 August 1960, the Council adopted resolution 778 (XXX) taking note with satisfaction of the preliminary report and looked forward both to the further report envisaged therein and to the report of ECE concerning the studies called for in that Commission's resolution 6 (XV) on "Improvement of techniques of foreign trade".

4. The preliminary report which the Secretary-General placed before the Economic and Social Council (E/3389) is available to the General Assembly.

### **DOCUMENT A/C.5/845**

#### **Financial implications of draft resolution II submitted by the Second Committee in document A/4648**

##### **Note by the Secretary-General**

[Original text: English]  
[28 November 1960]

1. The draft resolution adopted at the 686th meeting of the Second Committee (A/4648, para. 185, draft resolution II), requests the Secretary-General to examine the economic and social consequences of disarmament in countries with different economic systems at different stages of economic development and recommends that the Secretary-General should conduct the proposed examination with the assistance of expert consultants to be appointed by him with due regard to their qualifications and to the need of geographical representation and intimate knowledge of countries with different economic systems and at different stages of

economic development. A preliminary report on the results of the examination would be submitted by the Secretary-General to the thirty-third session of the Economic and Social Council and the Council would transmit the report with its views to the General Assembly at its seventeenth session.

2. In his note submitted to the Second Committee (A/C.2/L.469/Rev.1/Add.1), the Secretary-General estimated that six consultants would be required to assist in the examination and that they would hold two meetings at Headquarters, the first for a period of two weeks in the Spring of 1961 and the second for a period

of four weeks in January 1962. Working arrangements for the intervening period between the two meetings would be agreed upon at the first meeting, the present estimate being that each consultant would spend about fifty working days on particular aspects of the examination, presumably at his place of residence.

3. As reported to the Second Committee, the estimated costs would be not less than \$48,300 in the years 1961 and 1962, as shown below:

	1961	1962
	US dollars	
(a) Cost of meetings:		
(Average round-trip transportation—\$1,200; daily subsistence allowance at \$20 for 2 weeks in 1961 and 4 weeks in 1962)	9,000	10,800
(b) Consultant fees:		
(\$50 per day for 65 days in 1961 and 30 days in 1962)	19,500	9,000
	28,500	19,800

4. The cost of the consultants would fall as a new charge to section 3—Salaries and wages—of the 1961 budget estimates<sup>3</sup> necessitating additional financial provision in the amounts noted above, but the cost of secretarial and clerical assistance required by the consultants could be provided from existing resources. If it were eventually decided to print the report, there would be additional costs for contractual printing, which it is not possible to estimate at this time.

5. Assuming the adoption of the draft resolution by the General Assembly, the Secretary-General proposes an increase in section 3 of the 1961 budget estimates of \$28,500; the 1962 estimates as initially presented would make provision for continuing the work in that year.

<sup>3</sup> *Official Records of the General Assembly, Fifteenth Session, Supplement No. 5.*

## DOCUMENT A/4622

### Financial implications of draft resolution II submitted by the Second Committee in document A/4648

#### Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]  
[6 December 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement of financial implications submitted by the Secretary-General (A/C.5/845) in respect of the draft resolution on the economic and social consequences of disarmament, adopted by the Second Committee at its 686th meeting (A/4648, para. 185, draft resolution II).

2. Under the draft resolution, the General Assembly would request the Secretary-General to examine the economic and social consequences of disarmament in countries with different economic systems and at different stages of economic development. The draft resolution provides further that the Secretary-General should conduct the proposed examination with the assistance of expert consultants to be appointed by him with due regard to their qualifications and to the need of geographical representation and intimate knowledge of countries with different economic systems and at different stages of economic development.

3. The statement of financial implications submitted by the Secretary-General reflects a total anticipated expenditure of \$48,300, of which some \$28,500 would arise in 1961 and the balance of \$19,800 in 1962. The costs would relate to consultant fees in respect of six consultants and two meetings of the consultant group, one in 1961 and the other in 1962. The Secretary-General also indicates that if it were eventually decided to print the report, there would be additional costs for contractual printing, which it is not possible to estimate at this time.

4. The Advisory Committee understands that, the subject to be examined being highly complex, the report might be expected to reflect a plurality of views covering a wide range of approach and opinion rather than a single consolidated view.

5. During the Advisory Committee's consideration of these estimates, some doubt arose as to whether the criteria enunciated in the draft resolution in respect of

the expert consultants could be adequately met by a group of six such consultants. It is possible that this number may have to be varied; however, since the draft resolution does not specify the number of consultants whom the Secretary-General may appoint, this question might be left to the discretion of the Secretary-General.

6. As regards the monetary estimates, the Advisory Committee notes that the arrangements for the consultants would be similar to those applicable to individual consultants appointed by the Secretary-General for internal Secretariat work.<sup>4</sup> Inasmuch as the draft resolution stipulates the need for obtaining the assistance of expert consultants, the possibility of securing such service from or through governmental sources on the basis of payment by the United Nations of travel and *per diem* costs alone might be usefully explored.

7. On the basis of the foregoing observations, the Advisory Committee suggests that the General Assembly might be informed that the adoption of the draft resolution by the Assembly could give rise to additional costs of some \$28,500 in 1961 and \$19,800 in 1962. Subsequent to the adoption of the draft resolution, it would be necessary to increase the appropriations already recommended under section 3—Salaries and wages—of the 1961 budget estimates by an amount of \$28,500.

<sup>4</sup> Such arrangements would involve a consultant fee of \$50 per day of actual work and, in addition, \$20 per day of attendance at meetings at Headquarters. (The \$20 subsistence allowance rate for New York is the rate applicable to senior officials of the Secretariat.) These rates, which are determined by the Secretary-General, are different from those established by the General Assembly for eligible cases of members of commissions and committees of various United Nations bodies. For the latter category, the Fifth Committee has recommended that the present rates of \$25 a day at New York and \$20 a day elsewhere should be increased to \$30 and a maximum of \$23 a day, respectively.

## DOCUMENT A/4551

## Provision of food surpluses to food-deficient peoples through the United Nations system

## Report of the Second Committee

[Original text: English]  
[26 October 1960]

1. The General Assembly, at its 881st plenary meeting on 1 October 1960, allocated to the Second Committee item 29 of its agenda entitled:

"Economic development of under-developed countries:

"(a) International flow of private capital: report of the Secretary-General and recommendations thereon by the Economic and Social Council;

"(b) Question of the establishment of a United Nations capital development fund: report of the Secretary-General;

"(c) Methods and techniques for carrying out a study of world economic development: report of the Secretary-General and comments thereon of the Economic and Social Council;

"(d) Promotion of wider trade co-operation among States: report of the Secretary-General."

2. The present report covers the Committee's consideration of a draft resolution (A/C.2/L.459) submitted by Canada, Haiti, Liberia, Pakistan, the United States of America and Venezuela entitled "Provision of food surpluses to needy peoples through the United Nations system". The question was considered at the Committee's 649th, 650th, 652nd and 655th-658th meetings.<sup>6</sup>

3. On the request of the representative of the United States, the Committee considered at its 650th and 652nd meetings giving priority to the consideration of the draft resolution. As the Committee had already approved its organization of work (645th meeting), the Chairman, in response to a query by the representative of Canada, ruled that the matter fell under rule 124 of the rules of procedure. The Committee decided by 36 votes to 12, with 27 abstentions, to give priority to the consideration of the six-Power draft resolution.

4. The draft resolution (A/C.2/L.459) presented to the Committee at its 649th meeting read as follows:

*"The General Assembly,*

*"Considering that the peoples in many of the less developed countries suffer from serious shortages of food, which cause human suffering and retard economic progress,*

*"Noting with appreciation that many Member States are co-operating to alleviate food shortages, build national food reserves and promote economic development in the less developed countries,*

*"Noting with approval that the Food and Agriculture Organization of the United Nations, in co-operation with the United Nations, appropriate specialized agencies, Member Governments, and non-governmental organizations, has launched a Freedom from Hunger Campaign designed as a concerted attack on the problem of providing adequate food for present and future generations,*

*"Recalling General Assembly resolution 1025 (XI) and Economic and Social Council resolution 685 (XXVI) concerning international co-operation in the establishment of national food reserves,*

*"Convinced of the impelling need to solve the problem of hunger and malnutrition among many peoples and of the vital role which the United Nations family can play in actions designed to solve this critical problem,*

*"Further convinced that better fed peoples will help raise productivity and thus contribute to the increase of their standard of living,*

*"1. Endorses the Freedom from Hunger Campaign launched by the Food and Agriculture Organization of the United Nations and urges all States Members of the United Nations and members of the specialized agencies to support this campaign in every appropriate way;*

*"2. Appeals to States Members of the United Nations and members of the specialized agencies to take suitable measures to relieve the suffering of needy people in other nations and assist them in their economic development and in their efforts toward a better life;*

*"3. Calls attention to the contribution which the appropriate utilization of food surpluses can have in the economic development of the less developed countries;*

*"4. Expresses the belief that international assistance in the establishment of national food reserves in food-deficient countries is one effective means to achieve this goal;*

*"5. Invites the Food and Agriculture Organization of the United Nations, after consulting Member Governments, the Secretary-General and appropriate specialized agencies of the United Nations, to establish without delay procedures—in particular for consultation and the dissemination of information—by which, with the assistance of the United Nations system, the largest practicable quantities of surplus food may be made available on special conditions; such procedures to be in accordance with the Food and Agriculture Organization's principles for disposal of surplus commodities and compatible with desirable agricultural development in the less developed countries;*

*"6. Further invites the Food and Agriculture Organization of the United Nations, in consultation with Member Governments, the Secretary-General of the United Nations, appropriate specialized agencies and other international bodies (such as the International Wheat Council, the Wheat Utilization Committee, etc.), to undertake a study of the feasibility and acceptability of additional arrangements, having as their objective the mobilization of available surplus foodstuffs and their distribution in areas of greatest need, particularly in the economically less developed countries;*

*"7. Requests the Director-General of the Food and Agriculture Organization to report on action taken to the Economic and Social Council at its thirty-second session;*

<sup>6</sup> For the report of the Second Committee on the other subjects considered under item 29, see document A/4648, below.

"8. *Requests* the Secretary-General, after such consultations as he may deem necessary, to report to the Economic and Social Council at its thirty-second session on the role which the United Nations and the appropriate specialized agencies could play to facilitate the best possible use of food surpluses for the economic development of the less developed countries."

5. The Committee began its consideration of the draft resolution at its 655th meeting. At the beginning of the 656th meeting, the sponsors accepted a number of suggestions for changes in the text which had been made at the previous meeting. These changes were as follows:

(a) Two additional preambular paragraphs were inserted, after the fifth preambular paragraph, to read as follows:

"*Bearing in mind* the existing opportunities for consultation and exchange of information provided by the FAO through its Consultative Sub-Committee on Surplus Disposal,

"*Recognizing* that the FAO principles of surplus disposal and guiding lines are a valuable instrument for guidance to Governments in transactions, programmes, policies, and consultations relating to disposals and utilization of agricultural surpluses,";

(b) In operative paragraph 5 of the revised text, the words "on special conditions" were replaced by the words "on mutually agreeable terms" and the words "in accordance with the Food and Agriculture Organization's principles for disposal of surplus commodities and" were deleted;

(c) A new operative paragraph 9, reading as follows, was added:

"9. *Stresses* that any action taken or contemplated under this resolution proceed in accordance with the FAO principles and guiding lines for the disposal of surplus commodities and, specifically, with proper safeguards against adverse effects upon the economic and financial position of those countries which depend primarily on the export of food commodities, and recognizing that avoidance of damage to normal trade in foodstuffs will best be assured by multi-lateral trading practices."

These changes were incorporated in document A/C.2/L.459/Rev.1.

6. In the light of further suggestions, the sponsors of the draft resolution made the following additional changes:

(a) In operative paragraph 8, the words "after such consultations" were replaced by the words "in consultation with the Director-General of the Food and Agriculture Organization and after such other consultations";

(b) In operative paragraph 9, the words "to normal trade" were replaced by the words "to normal trading".

7. At the 657th meeting, the following amendments to the revised draft resolution were tabled:

(a) Afghanistan and the United Arab Republic proposed (A/C.2/L.463) that the words "and without prejudice to bilateral arrangements for this purpose" should be inserted in operative paragraph 5 after the words "mutually agreeable terms";

(b) Czechoslovakia proposed (A/C.2/L.464) the addition of a new operative paragraph 10 which would read as follows:

"*Requests* the FAO to elaborate further appropriate measures against dumping of agricultural surpluses on the international markets.";

(c) Guinea proposed (A/C.2/L.467) the following amendments:

(i) First preambular paragraph: Delete the last phrase after the word "food";

(ii) Third preambular paragraph: Replace the words "present and future generations" by the word "peoples";

(iii) Fifth preambular paragraph: Delete the word "vital" and add the word "help" before the words "solve this critical problem";

(iv) Eighth preambular paragraph: Reword the paragraph to read "*Further convinced* that assistance to under-fed peoples can contribute to the increase of their standard of living,";

(v) Operative paragraph 2: Replace the word "needy" by the word "under-privileged";

(vi) Delete operative paragraph 3.

8. At the 658th meeting, the sponsors introduced a second revised version of the draft resolution (A/C.2/L.459/Rev.2 and Corr.1), which read as follows:

"*The General Assembly,*

"*Considering* that the peoples in many of the less developed countries suffer from serious shortages of food, which cause human suffering and retard economic progress,

"*Noting* with approval that the Food and Agriculture Organization of the United Nations (FAO), in co-operation with the United Nations, appropriate specialized agencies, Member Governments, and non-governmental organizations, has launched a Freedom from Hunger Campaign designed as a concerted attack on the problem of providing adequate food for present and future generations,

"*Recalling* General Assembly resolutions 827 (IX) and 1025 (XI) and Economic and Social Council resolutions 621 (XXII) and 685 (XXVI) concerning international co-operation in the establishment of national food reserves,

"*Bearing in mind* the existing opportunities for consultation and exchange of information provided by the FAO through its Consultative Sub-committee on Surplus Disposal,

"*Recognizing* that the FAO principles of surplus disposal and guiding lines are a valuable instrument for guidance to Governments in transactions, programmes, policies, and consultations relating to disposals and utilization of agricultural surpluses,

"*Recognizing* further that the ultimate solution to the problem of hunger lies in an effective acceleration of economic development allowing the under-developed countries to increase their food production and enabling them to purchase more food through normal channels of international trade,

"*Convinced* of the impelling need to solve the problem of hunger and malnutrition among many peoples and of the vital role which the United Nations system can play in actions designed to solve this critical problem,

"*Further convinced* that better fed peoples will help raise productivity and thus contribute to the increase of their standard of living,

"1. *Endorses* the Freedom from Hunger Campaign launched by the FAO and urges all States

Members of the United Nations and members of the specialized agencies to support this campaign in every appropriate way;

"2. *Appeals* to States Members of the United Nations and members of the specialized agencies to take suitable measures to relieve the suffering of needy people in other nations and assist them in their economic development and in their efforts toward a better life;

"3. *Expresses the belief* that international assistance in the establishment of national food reserves in food-deficient countries is one effective transitional means to assist accelerated economic development in the less developed countries;

"4. *Invites* the FAO, after consulting Member Governments, the Secretary-General and appropriate specialized agencies of the United Nations, to establish without delay procedures—in particular for consultation and the dissemination of information—by which, with the assistance of the United Nations system, the largest practicable quantities of surplus food may be made available on mutually agreeable terms as a short-term measure against hunger; such procedures to be compatible with desirable agricultural development in the less developed countries and without prejudice to bilateral arrangements for this purpose which do not infringe on the FAO principles;

"5. *Further invites* the FAO, in consultation with Member Governments, the Secretary-General of the United Nations, appropriate specialized agencies and other international bodies (such as the International Wheat Council, the Wheat Utilization Committee, etc.), to undertake a study of the feasibility and acceptability of additional arrangements, including multilateral arrangements under the auspices of the FAO having as their objective the mobilization of available surplus foodstuffs and their distribution in areas of greatest need, particularly in the economically less developed countries;

"6. *Requests* the Director-General of the FAO to report on action taken to the Economic and Social Council at its thirty-second session;

"7. *Requests* the Secretary-General, in consultation with the Director-General of the FAO and after such other consultations as he may deem necessary, to report to the Economic and Social Council at its thirty-second session on the role which the United Nations and the appropriate specialized agencies could play to facilitate the best possible use of food surpluses for the economic development of the less developed countries;

"8. *Recommends* that the Secretary-General in preparing, in consultation with the Director-General of the FAO, the Provisional Programme for the Joint Meeting of the Commission for International Commodity Trade and the Committee on Commodity Problems of the FAO which will examine a report on the prospects of production of and demand for primary commodities, include the question of the production of and demand for food in relation with the problem of hunger;

"9. *Stresses* that any action taken or contemplated under this resolution proceed in accordance with the FAO principles and guiding lines for the disposal of surplus commodities and, specifically, with adequate safeguards against dumping and against adverse effects upon the economic and financial position of

those countries which depend for their foreign exchange earnings primarily on the export of food commodities, and recognizing that avoidance of damage to normal trading in foodstuffs will best be assured by multilateral trading practices."

9. At the 458th meeting, the sponsors agreed to include changes covering the amendments submitted by the representative of Guinea (A/C.2/L.467) and a number of oral amendments suggested by other delegations, as follows:

(a) The phrase in the first preambular paragraph reading "which cause human suffering and retard economic progress" was deleted;

(b) The words "present and future generations" in the second preambular paragraph were replaced by the words "food-deficient peoples";

(c) The word "help" was inserted in the seventh preambular paragraph before the words "solve this critical problem" and the word "vital" was deleted;

(d) The words "better fed" in the eighth preambular paragraph were replaced by "assistance to food-deficient";

(e) In operative paragraph 2 the word "needy" was replaced by the words "food-deficient";

(f) In operative paragraph 4 the word "short-term" was replaced by "transitional", the phrase "as a contribution to economic development" was inserted after the words "desirable agricultural development", and the words "which do not infringe on" were replaced by "and compatible with".

10. Since their substance had been incorporated in the draft resolution, the representatives of Afghanistan and the United Arab Republic and of Guinea withdrew their amendments (A/C.2/L.463, A/C.2/L.467).

11. In connexion with the amendment by Czechoslovakia (A/C.2/L.464), and the modification by the sponsors of the draft resolution to operative paragraph 9, the representative of the United Arab Republic proposed that the words "dumping and against" be deleted and that after the words "adequate safeguards" the following phrase be inserted: "and appropriate measures against dumping of agricultural surpluses on the international markets".

12. The sponsors of the draft resolution accepted the proposed amendment, whereupon the representative of Czechoslovakia withdrew his amendment (A/C.2/L.464).

13. The Byelorussian Soviet Socialist Republic proposed amendments (A/C.2/L.468) as follows:

(a) In operative paragraph 1: Replace the words "States Members of the United Nations and members of the specialized agencies" by the word "States";

(b) In operative paragraph 2: Replace the words "States Members of the United Nations and members of the specialized agencies" by the words "all States";

(c) In operative paragraph 9: Replace the word "multilateral" by the words "mutually beneficial".

14. On the suggestion of the representative of New Zealand, the representative of the United States of America agreed, on behalf of the sponsors, to delete, in operative paragraph 4, the word "and" between the words "to bilateral arrangements for this purpose" and "compatible with the FAO principles". The representatives of Afghanistan and of the United Arab

Republic then proposed that the word "and" should be reinserted.

15. On the suggestion of the representative of Ceylon, the sponsors agreed to replace the word "needy" by "food-deficient" in the title of the draft resolution.

16. The Committee then voted on the second revised draft resolution (A/C.2/L.459/Rev.2 and Corr.1), as amended by the sponsors (see paras. 9, 11 and 12 above), on the Byelorussian SSR amendments (A/C.2/L.468) and on the oral amendment by Afghanistan and the United Arab Republic (see para. 14 above). Separate votes on operative paragraphs 4, 5 and 6 were requested by the representative of Argentina.

The first amendment by the Byelorussian SSR (A/C.2/L.468) was rejected by 35 votes to 24, with 12 abstentions.

The second amendment by the Byelorussian SSR was rejected by 35 votes to 24, with 13 abstentions.

The oral amendment by Afghanistan and the United Arab Republic was adopted by 25 votes to 21, with 24 abstentions.

The third amendment by the Byelorussian SSR was rejected by 38 votes to 12, with 20 abstentions.

Operative paragraph 4 was adopted by 60 votes to none, with 6 abstentions.

Operative paragraph 5 was adopted by 64 votes to none, with 8 abstentions.

Operative paragraph 6 was adopted by 67 votes to none, with 5 abstentions.

The draft resolution as a whole, as amended, was adopted unanimously.

17. Following suggestions made by a number of representatives, the Committee agreed that the Secretary-General should transmit to the FAO the summary records of its discussions on this draft resolution.

### **Recommendation of the Second Committee**

18. The Committee therefore recommends to the General Assembly the adoption of the following draft resolution.

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

## **DOCUMENT A/4633**

### **Financial implications of draft resolution II submitted by the Second Committee in document A/4648**

#### **Report of the Fifth Committee**

*[Original text: English]  
[9 December 1960]*

1. Under rule 154 of the rules of procedure of the General Assembly, and on the basis of reports by the Secretary-General (A/C.5/845) and the Advisory Committee on Administrative and Budgetary Questions (A/4622), the Fifth Committee, at its 813th meeting, considered the financial implications of draft resolution II (A/4648, para. 185) adopted by the Second Committee at its 686th meeting.

2. Following a discussion in which several members made observations on the importance of the subject dealt with in the draft resolution, the Fifth Committee decided, without objection, to inform the General Assembly that the adoption of the draft resolution recommended by the Second Committee could give rise to additional costs of some \$28,500 in 1961 and \$19,500 in 1962.

## **DOCUMENT A/4648**

### **Report of the Second Committee**

*[Original text: English]  
[14 December 1960]*

1. The General Assembly, at its 881st plenary meeting on 1 October 1960, allocated the following items of its agenda to the Second Committee:

#### **Item 12**

"Report of the Economic and Social Council (chapters II, III, IV; and VII (paragraph 645 only))."

#### **Item 29**

"Economic development of under-developed countries"

"(a) International flow of private capital: report by the Secretary-General and recommendations thereon by the Economic and Social Council;

"(b) Question of the establishment of a United Nations capital development fund: report by the Secretary-General;

"(c) Methods and techniques for carrying out a study of world economic development; report by the Secretary-General and comments thereon by the Economic and Social Council;

"(d) Promotion of wider trade co-operation among States: report by the Secretary-General."

#### **Item 74**

"Land reform."

2. At its 645th meeting on 6 October 1960 the Committee agreed to have a single general debate on items 12, 29<sup>6</sup> and 74, which would be followed by the discus-

<sup>6</sup> Except for the draft resolution entitled "Provision of food surpluses to food-deficient peoples through the United Nations system", which is the subject of a separate report (see document A/4551, above).

sion of the various draft resolutions submitted. Thus, the present report covers the Committee's consideration of items 29 and 74 and of certain parts of item 12, as explained in the following paragraph.

3. As regards item 12, chapters II, III and IV of the report of the Economic and Social Council (A/4415) were allocated to the Second Committee. In addition, section I of chapter VII, entitled "Programme appraisals in the economic, social and human rights fields", was available to it, and a sub-section of chapter VII, para. 645), entitled "Consultation with the specialized agencies", was referred to it for any comments. The Committee considered, under the present group of items, all parts of the report before it, except those which related specifically to the other agenda items allocated to the Second Committee; i.e., except (a) section III B of chapter II, which relates to item 28 (Progress and operations of the Special Fund), and to item 30 (Programmes of technical assistance); and (b) the first sub-section of section III A of chapter II, which relates to item 31 (Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States).

4. The Committee considered these items during sixty-four meetings held from 12 October to 9 December 1960 (646th to 707th, 709th and 710th meetings). In all, twenty-three meetings (646th-654th, 659th-671st and 676th meetings) were devoted—in whole or in part—to the general debate, in which seventy delegations took part. The opening and concluding statements of the general debate were made by the Under-Secretary for Economic and Social Affairs: the texts of his statements were circulated as documents A/C.2/L.458 and A/C.2/L.479.

5. In addition to the report of the Economic and Social Council (A/4415), the Committee had before it the following papers: a note by the Secretary-General on the international flow of private capital (A/4487), a progress report of the Secretary-General on the promotion of the international flow of private capital (E/3325 and Corr.1-3), a report of the Secretary-General on the question of the establishment of a United Nations capital development fund (A/4488), a report of the Secretary-General on a United Nations capital development fund (E/3393 and Add.1-4), a note by the Secretary-General on methods and techniques for carrying out a study of world economic development (A/4489 and Add.1), a preliminary report of the Secretary-General on the evaluation of long-term economic projections (E/3379 and Corr.1 and Add.1-7), a note by the Secretary-General on the promotion of wider trade co-operation among States (A/4490), a preliminary report of the Secretary-General on ways and means of promoting wider trade co-operation among States (E/3389 and Corr.1/Rev.1): a memorandum by the Government of Cuba on land reform (A/4439). The Committee also had before it the *Five-year perspective, 1960-1964: Consolidated report on the appraisals of the scope, trend and costs of the programmes of the United Nations, ILO, FAO, UNESCO, WHO, WMO and IAEA in the economic, social and human rights fields* (E/3347/Rev.1).

6. Sections I-XIV of the present report deal respectively with the Committee's consideration of, and action on, each of the following proposals. Section XV deals with the Committee's consideration of, and action

regarding, those parts of chapter VII of the report of the Economic and Social Council which were before it.

*Section I.* Draft resolution by Canada, Colombia, the Federation of Malaya, Italy, Nigeria, Norway, Turkey and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.461 and Add.1, Rev.2 and Corr.1, Rev.3 and Rev.4) entitled "Concerted action for economic development of economically less developed countries", originally entitled "Partnership for economic and social development".

Amendments to the above resolution or to the revised texts of the draft resolution submitted by Brazil (A/C.2/L.475), United Arab Republic (A/C.2/L.476), Ukrainian Soviet Socialist Republic (A/C.2/L.477 and Rev.1), Pakistan (A/C.2/L.478 and Corr.1), Romania (A/C.2/L.480), Tunisia (A/C.2/L.481 and Rev.1), Ireland, New Zealand and Thailand (A/C.2/L.482), Ukrainian Soviet Socialist Republic (A/C.2/L.483 and Rev.1), India and Indonesia (A/C.2/L.484), Guinea (A/C.2/L.485), Brazil, Ceylon, Indonesia and Iraq (A/C.2/L.488), Brazil, Ceylon, Indonesia and Iraq (A/C.2/L.489), Bulgaria (A/C.2/L.497).

Sub-amendment by United States of America (A/C.2/L.496 and Rev.1) to amendment submitted by Romania (A/C.2/L.480).

*Section II.* Draft declaration on international economic co-operation submitted by the Union of Soviet Socialist Republics (A/C.2/L.466).

*Section III.* Draft resolution by Pakistan (A/C.2/L.469, A/C.2/L.469/Rev.1 and A/C.2/L.469/Rev.1/Add.1) entitled "Economic and social consequences of disarmament".

Amendments to the draft resolution, submitted by Poland (A/C.2/L.510) and Lebanon (A/C.2/L.511).

*Section IV.* Draft resolution by Argentina, Denmark, Netherlands, New Zealand, Pakistan, Peru, Thailand and Tunisia (A/C.2/L.492) entitled "Projections".

Amendments to the draft resolution, submitted by Burma (A/C.2/L.523).

*Section V.* Draft resolution by Argentina, Brazil, Burma, Chile, Colombia, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guinea, India, Iraq, Liberia, Libya, Morocco, Nigeria, Pakistan, Sudan, Thailand, Togo, Tunisia, United Arab Republic, Venezuela and Yugoslavia (A/C.2/L.470 and Add.1, and A/C.2/L.470/Rev.1 and Add.1, A/C.2/L.470/Rev.2 and A/C.2/L.470/Rev.3) entitled "Decentralization of the United Nations economic and social activities and strengthening of the regional economic commissions".

Amendments to the draft resolution or its revised text, submitted by Nigeria (A/C.2/L.473), United States of America (A/C.2/L.513) and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.515) and Israel (A/C.2/L.516).

*Section VI.* Draft resolution by Bulgaria, Czechoslovakia and Poland (A/C.2/L.471 and Rev.1 and 2) entitled "Strengthening and development of the world market and improvement of the trade conditions of the economically less developed countries".

Amendments to the draft resolution, submitted by the United States of America (A/C.2/L.517).

*Section VII.* Draft resolution by Colombia and Costa Rica (A/C.2/L.493 and Rev.1 and 2) entitled "Improvement of the terms of trade between the industrial and the under-developed countries".

*Section VIII.* Draft resolution by Afghanistan, Argentina, Bolivia, Brazil, Burma, Cambodia, Ceylon, Chad, Chile, Colombia, Cuba, Cyprus, Ecuador, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Laos, Lebanon, Liberia, Libya, Mali, Morocco, Nepal, Nigeria, Pakistan, Panama, Peru, Philippines, Saudi Arabia, Somalia, Sudan, Thailand, Togo, Tunisia, Turkey, United Arab Republic, Uruguay, Yemen and Yugoslavia (A/C.2/L.472 and Add.1-4, A/C.2/L.472/Rev.1 and Rev.1/Add.1) entitled "Establishment of a United Nations capital development fund".

Amendments to the draft resolution, submitted by Denmark, Greece, Netherlands and Sweden (A/C.2/L.514) and by Denmark, Greece and Netherlands (A/C.2/L.535).

*Section IX.* Draft resolution by Afghanistan, Burma, Ceylon, Chad, Ghana, India, Indonesia, Iraq, Nepal, Nigeria, Pakistan, Sudan, United Arab Republic, Yemen and Yugoslavia (A/C.2/L.474 and Add.1 and 2, A/C.2/L.474/Rev.1 and Add.1, A/C.2/L.474/Rev.2 and Rev.3) entitled "Accelerated flow of capital and technical assistance to the developing countries".

Amendments to the draft resolution, submitted by the Netherlands (A/C.2/L.540), Italy (A/C.2/L.541) and France (A/C.2/L.543).

*Section X.* Draft resolution by Pakistan and Indonesia (A/C.2/L.495 and Rev.1) entitled "International credit insurance".

*Section XI.* Draft resolution by Czechoslovakia (A/C.2/L.465 and Rev.1 and 2) entitled "Financing of economic development of less developed countries through long-term loans and in other advantageous ways, and ensuring an increasing share in world trade for their products", originally entitled "Financing of economic development through long-term loans extended at low rate of interest and changing the structure of international division of labour in favour of the less developed countries".

Amendments to the draft resolution, submitted by the United States of America (A/C.2/L.486), Afghanistan and United Arab Republic (A/C.2/L.487 and Rev.1), Canada (A/C.2/L.498), United Kingdom of Great Britain and Northern Ireland (A/C.2/L.501 and Rev.1 and 2), Turkey (A/C.2/L.503), Greece (A/C.2/L.505), Italy (A/C.2/L.507 and Rev.1), Mexico (A/C.2/L.508).

Sub-amendments by Canada (A/C.2/L.499) and by New Zealand (A/C.2/L.500) to amendments submitted by Afghanistan and United Arab Republic (A/C.2/L.487/Rev.1); sub-amendments by Argentina (A/C.2/L.504) to amendment submitted by the United States of America (A/C.2/L.486); sub-amendments by India (A/C.2/L.506) to amendment submitted by the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.501/Rev.2).

*Section XII.* Draft resolution by Brazil (A/C.2/L.494 and Rev.1) entitled "Development of petroleum industry in less developed countries".

*Section XIII.* Draft resolution by Afghanistan, Brazil, Burma, Central African Republic, Chad, Cuba, Czechoslovakia, Dahomey, Ethiopia, Gabon, Ghana, Greece, Guinea, Haiti, Indonesia, Iraq, Ivory Coast, Lebanon, Liberia, Libya, Mali, Morocco, Niger, Nigeria, Pakistan, Peru, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, Upper Volta and

Yugoslavia (A/C.2/L.491 and Add.1-6) entitled "Activities of the United Nations in the field of industrial development".

Amendment to the draft resolution, submitted by Italy (A/C.2/L.536).

*Section XIV.* Draft resolution by Bolivia, Cuba, Ghana, Iraq, United Arab Republic and Yugoslavia (A/C.2/L.490 and Rev.1) entitled "Land reform".

# I

7. The draft resolution by the United Kingdom (A/C.2/L.461 and also by Canada, Colombia, the Federation of Malaya, Italy, Nigeria, Norway and Turkey (A/C.2/L.461/Add.1) was introduced by the representative of the United Kingdom at the 672nd meeting. The draft resolution read as follows:

## "PARTNERSHIP FOR ECONOMIC AND SOCIAL DEVELOPMENT"

### "The General Assembly,

"1. *Reaffirms* the solemn undertaking embodied in the Charter of the United Nations to employ international machinery for the promotion of the economic and social advancement of all peoples;

"2. *Reiterates* that a prime duty of the United Nations is to further the economic and social advancement of the less developed countries of the world and in this way to strengthen their sovereignty and independence;

"3. *Recognizes* that this requires the diversification and industrialization of those economies which are now dependent on subsistence agriculture or on the export of a small range of primary commodities;

"4. *Believes* that in present circumstances this demands:

"(a) The maintenance of a high level of economic activity and of multilateral trade to enable the less developed countries to sell more of their products in expanding markets in order increasingly to finance their own economic development;

"(b) The provision of public and private development capital from the more developed to the less developed countries, notably through international organizations and through freely negotiated bilateral arrangements;

"(c) The expansion of technical co-operation between countries at all stages of development;

"(d) Scientific and cultural co-operation and the encouragement of research;

"(e) Proper regard for the human and social aspects of economic development;

"5. *Recommends*, with these objects in view, that:

"(a) Member countries and the international organs concerned should continue to study ways and means of moderating excessive short term fluctuations in primary commodity trade and of expanding trade in these products;

"(b) Technical training, education and pre-investment assistance, whether undertaken by international organizations or by individual Governments, should be regarded as a major factor in the economic development of the under-developed countries; in particular the fullest possible support should be given to the Expanded Programme of Technical Assistance,

the Special Fund and to other existing voluntary programmes of the United Nations;

“(c) Technical assistance and the supply of capital, whether provided through international organizations or otherwise, should be in a form acceptable to the recipients and not impose unreasonable conditions upon them;

“6. *Requests* the Economic and Social Council, the Secretary-General, the specialized agencies, the International Atomic Energy Agency and the Member Governments of these organs to take note of this resolution and asks them to play their appropriate part in carrying out its objectives and principles for the general and common benefit of the human race.”

8. The Committee, at its 671st meeting, decided that the draft resolution (A/C.2/L.461) should be considered jointly with the draft declaration on international economic co-operation (A/C.2/L.466) submitted by the Union of Soviet Socialist Republics (see section II, below).

9. The Committee considered the draft resolution (A/C.2/L.461) at its 672nd, 673rd and 675th-679th meetings.

10. At the 672nd meeting, Brazil proposed an amendment (A/C.2/L.475) that the following new subparagraph be inserted between operative subparagraphs 5 (a) and 5 (b):

“(b) The Economic and Social Council give full consideration and, whenever possible and convenient, prompt implementation to the recommendations of the forthcoming ninth session of the Commission on International Commodity Trade;”

11. The United Arab Republic proposed amendments (A/C.2/L.476): first, that the word “*Reaffirms*” in the operative paragraph 1 should be changed to the words “*Bearing in mind*”, and that the paragraph, as amended, should become the first preambular paragraph; second that the following text should be inserted as the second preambular paragraph:

“*Believing* that the principles laid down in the Charter of the United Nations with regard to international economic and social co-operation should be reaffirmed now when so many Member States have recently joined the United Nations,”.

12. At the 673rd meeting, the Ukrainian Soviet Socialist Republic proposed the following amendments (A/C.2/L.477):

(a) Operative subparagraph 4 (a) should be revised to read as follows:

“The maintenance of a high level of economic activity and of mutually advantageous multilateral and bilateral trade to enable the less developed countries to sell more of their products in expanding markets at reasonable and stable prices and thus provide them with a real opportunity of increasing their export earnings and their own resources for financing economic development;”

(b) The following clause should be added at the end of operative subparagraph 5 (c):

“and the establishment of priorities in furnishing economic assistance to the under-developed countries should not be subordinated to political motives;”

13. Pakistan proposed the following amendments (A/C.2/L.478 and Corr.1):

(a) In operative subparagraph 5 (a) the word “moderating” should be replaced by the word “preventing” and the words “short term” should be deleted;

(b) The following new text should be inserted as operative subparagraph 5 (b) and the remaining subparagraphs renumbered accordingly:

“(b) Urgent attention should be given by the member countries and the international organs concerned to the adoption of measures designed to assist in offsetting the effects of large fluctuations, whenever they occur, in commodity prices on balance of payments with special reference to compensatory financing, so as to enable countries with under-developed economies to contribute their own resources to the maximum extent towards sustained programmes of economic and social development;”

(c) In the new subparagraph 5 (c) (formerly 5 (b)), the words “a major” should be replaced by the words “an important”.

14. At the 674th meeting, the Committee received amendments by Romania (A/C.2/L.480):

(a) In operative subparagraph 5 (c) the words “and not impose unreasonable conditions upon them” should be replaced by “and should not be used to gain political, economic, military or other advantages for those providing such assistance;”

(b) The following new operative paragraph should be introduced between operative paragraphs 5 and 6:

“*Recommends* further that the sovereign right of every State to dispose of its wealth and its natural resources should be respected and that the principles of equality, of trade on equal terms and of mutual benefit should be observed in international economic relations;”.

15. The Committee also received the following amendments by Tunisia (A/C.2/L.481):

(a) The following new operative paragraph should be inserted between operative paragraphs 3 and 4:

“*Recalls and reaffirms* the provisions of General Assembly resolution 1414 (XIV) and of Economic and Social Council resolution 752 (XXIX);”

(b) Operative paragraph 3 should be deleted;

(c) The following paragraph should be inserted as the first preambular paragraph:

“*Considering* that co-operation with the under-developed countries should be directed, *inter alia*, towards the improvement of conditions for the marketing and production of foodstuffs and primary commodities and towards the establishment and development of a national industry;”;

(d) The following words should be added at the end of operative subparagraph 4 (b): “based on mutual advantage and, where advisable, subject to international supervision;”.

16. At the 675th meeting, the Committee considered a revision (A/C.2/L.461/Rev.2 and Corr.1) of the eight-Power draft resolution. The sponsors had introduced the following changes in the original text:

(a) The title had been changed to read: “Concerted action for economic development”;

(b) The following paragraphs had been inserted as the resolution’s preamble:

“*Believing* that the principles laid down in the Charter of the United Nations with regard to international economic and social co-operation should be

reaffirmed now when so many Member States have recently joined the United Nations,

*"Bearing in mind* the solemn undertaking embodied in the Charter of the United Nations to employ international machinery for the promotion of the economic and social advancement of all peoples,

*"Recalling* also that one of the principal objectives of the United Nations is to promote higher standards of living and that Members of the United Nations have pledged themselves to take joint and separate action to achieve this purpose,";

(c) In operative paragraph 2 (now 1), the word "further" had been replaced by the word "accelerate" and the words "and in this way to strengthen their sovereignty and independence" by the words "and thus safeguard their independence,";

(d) Operative paragraph 3 (now 2) had been redrafted as follows:

*"Recognizes* that this social and economic advancement requires the development and diversification of economic activity and industrialization of those economies which are largely dependent on subsistence agriculture or on the export of a small range of primary commodities,";

(e) In the introductory part of operative paragraph 4 (now 3), the words "this demands" were replaced by the words "the achievement of these ends demands *inter alia*";

(f) Operative sub-paragraphs 4 (a), 4 (b) and 4 (c) (now 3 (a), 3 (b) and 3 (c)) had been redrafted to read as follows:

*"(a)* The maintenance of a high and expanding level of economic activity and of generally beneficial multilateral trade in order to enable the less developed countries to sell more of their products at stable and remunerative prices in expanding markets and so increasingly to finance their own economic development from their earnings of foreign exchange,

*"(b)* The increasing provision of public and private capital on acceptable terms from the more developed to the less developed countries, notably through international organizations and through freely negotiated multilateral or bilateral arrangements,

*"(c)* The expansion of technical co-operation between countries at all stages of development, with the objective of aiding the under-developed countries to increase their knowledge of and capacity to apply modern techniques,";

(g) Operative sub-paragraphs 5 (a) to 5 (c) (now 4 (a) to 4 (e)) had been replaced by the following:

*"(a)* Member countries and the international organs concerned should continue to seek and apply ways of eliminating excessive fluctuations in primary commodity trade, and practices or measures which have unfavourable repercussions on the trade in basic products of the less developed countries and so to expand trade in these products:

*"(b)* In particular, with this in mind, the Economic and Social Council should continue to give close and serious attention to the problems of commodity trade, and to the recommendations of the Commission on International Commodity Trade designed to deal with them;

*"(c)* Technical training, education and pre-investment assistance, whether undertaken by international organizations or by individual Governments, should be

regarded as an important factor in the economic development of under-developed countries; in particular the fullest possible support should be given to the Expanded Programme of Technical Assistance, the Special Fund and to the other voluntary programmes of the United Nations which are concerned with these ends;

*"(d)* Technical assistance and the supply of development capital, whether provided through international organizations or otherwise, should be of a kind and in a form acceptable to and in accordance with the wishes of the recipients and should involve no unreasonable conditions for them;

*"(e)* Regional economic groupings should be designed to offer the opportunities of an expanding market to all trading nations without prejudice to the interests of third parties,";

(h) In operative paragraph 6 (now 5), the word "effectively" had been inserted after the words "and asks them to play their appropriate part . . ."

17. The Committee also had before it amendments by Ireland, New Zealand, and Thailand (A/C.2/L.482) whereby the words "and countries dependent on the export of a small range of primary commodities" would be inserted after the words "less developed countries" in operative sub-paragraphs 3 (a) and 4 (a) of the revised draft resolution.

18. The representative of the United Kingdom informed the Committee that the sponsors had agreed to accept further changes in the revised draft resolution (A/C.2/L.461/Rev.2) as follows:

(a) In operative sub-paragraph 3 (a), the words "free from artificial restrictions" would be inserted after the words "multilateral trade" and the words "and those dependent on the export of a small range of primary commodities" after the words "less developed countries";

(b) In operative sub-paragraph 4 (a) the words "as a matter of urgency" would be inserted after the words "should continue"; the word "both" inserted after the word "eliminating"; the word "restrictive" inserted after the words "primary commodity trade, and"; and the word "so" deleted in the final clause of the sub-paragraph;

(c) In operative sub-paragraph 4 (b), the words "continue to" would be deleted.

19. Brazil, the United Arab Republic and New Zealand, the latter on behalf of the three sponsoring delegations, withdrew their amendments (A/C.2/L.475, A/C.2/L.476, and A/C.2/L.482).

20. Pakistan withdrew its first and third amendments and maintained its second amendment (A/C.2/L.478 and Corr.1).

21. The Ukrainian Soviet Socialist Republic withdrew the first of its amendments (A/C.2/L.477) and presented fresh amendments (A/C.2/L.477/Rev.1):

(a) In operative sub-paragraph 3 (a) to insert the words "and mutually advantageous bilateral" after the word "multilateral";

(b) To maintain the second of the amendments in document A/C.2/L.477, which now referred to operative sub-paragraph 4 (d) instead of to 5 (c).

22. Tunisia withdrew the first of its amendments in document A/C.2/L.481 but maintained the second and the third, and modified the fourth. The new text of the amendments (A/C.2/L.481/Rev.1) thus proposed:

(a) To delete operative paragraph 2;

(b) To insert the following as the fourth preambular paragraph:

"*Considering* that co-operation with the under-developed countries should be directed, *inter alia*, towards the improvement of conditions for the marketing and production of foodstuffs and primary commodities and towards the establishment and development of a national industry,";

(c) To add the following at the end of operative sub-paragraph 3 (b): "in conformity with the principles of the international undertaking entered into by the parties;"

23. The Ukrainian Soviet Socialist Republic proposed the following further amendments (A/C.2/L.483) to the revised text of the joint draft resolution:

(a) To insert the words "that a great gap exists between the levels of living of the peoples of the economically developed and under-developed countries and" in the third preambular paragraph after the words "*Recalling* also", and the words "for all peoples" after the words "higher standards of living";

(b) To insert the following new paragraph between operative paragraphs 2 and 3:

"3. *Recognizes further* that it also requires an acceleration in the rate at which all under-developed countries accumulate their own resources for the financing of their economic development, so that their own resources may play the leading role in such financing,";

(c) To add the following words at the end of operative sub-paragraph 3 (c): "particularly through assistance in the training of qualified personnel from among the local population of these countries";

(d) To delete the word "pre-investment" from operative sub-paragraph 4 (c).

24. India and Indonesia proposed an amendment (A/C.2/L.484) that the words "should be increased and" should be inserted after the words "or otherwise" in operative sub-paragraph 4 (d).

25. At the 676th meeting, Guinea proposed an amendment (A/C.2/L.485): that the following paragraphs should be added after the third preambular paragraph:

"*Considering*, however, that many countries are still economically under-developed and that their peoples have a very low level of living,

"*Recognizing* the compelling need to assist the peoples concerned by every means and, first and foremost, with a view to diversifying single-crop economies, to promote the development of economically under-developed areas in order to enable the under-developed countries to carry out adequate development programmes,".

26. Brazil, Ceylon, Indonesia, and Iraq proposed an amendment (A/C.2/L.488) that operative sub-paragraph 4 (d) should be redrafted to read as follows:

"(d) Technical assistance and the supply of development capital, whether provided through existing and future international organizations and institutions or otherwise, should be of a kind and in a form acceptable to and in accordance with the wishes of the recipients, and should involve no unreasonable conditions for them,".

27. The two-Power amendment (A/C.2/L.484) and the four-Power amendment (A/C.2/L.488) were com-

bined as a five-Power amendment (A/C.2/L.489), whereby operative sub-paragraph 4 (d) should be modified as follows:

(i) After the word "through", insert the words "existing or future";

(ii) After the word "organizations" insert the words "and institutions";

(iii) After the words "or otherwise" insert the phrase "should be increased and".

Sub-paragraph 4 (d) would then read:

"(d) Technical assistance and the supply of development capital, whether provided through existing or future international organizations and institutions or otherwise, should be increased and should be of a kind and in a form acceptable to and in accordance with the wishes of the recipients, and should involve no unreasonable conditions for them,".

28. At the 677th meeting, the Committee considered a second revision (A/C.2/L.461/Rev.3) of the draft resolution. The sponsors had revised the operative paragraphs to read as follows:

"1. *Reiterates* that a prime duty of the United Nations is to accelerate the economic and social advancement of the less developed countries of the world and thus both safeguarding their independence and helping to close the gap in standards of living between the more developed and the less developed countries;

"2. *Recognizes* that this social and economic advancement requires the development and diversification of economic activity: that is to say the improvement of conditions for the marketing and production of foodstuffs and industrialization of those economies which are largely dependent on subsistence agriculture or on the export of a small range of primary commodities;

"3. *Believes* that in present circumstances the achievement of these ends demands *inter alia*:

"(a) The maintenance of a high and expanding level of economic activity and of generally beneficial multilateral and bilateral trade free from artificial restrictions in order to enable the less developed countries and those dependent on the export of a small range of primary commodities to sell more of their products at stable and remunerative prices in expanding markets and so increasingly to finance their own economic development from their earnings of foreign exchange;

"(b) The increasing provision of public and private capital on acceptable terms from the more developed to the less developed countries notably through international organizations and through freely negotiated multilateral or bilateral arrangements;

"(c) The expansion of technical co-operation between countries at all stages of development, with the objective of aiding the people of under-developed countries to increase their knowledge of and capacity to apply modern techniques;

"(d) Scientific and cultural co-operation and the encouragement of research;

"(e) Proper regard for the human and social aspects of economic development;

"4. *Recommends* with these objects in view that:

"(a) Member countries and the international organs concerned should continue as a matter of urgency to seek and apply ways of eliminating both

excessive fluctuations in primary commodity trade, and restrictive practices or measures which have unfavourable repercussions on the trade in basic products of the less developed countries and those dependent on the export of a small range of primary products and to expand trade in these products:

“(b) In particular, with this in mind, the Economic and Social Council should give close and serious attention to the problems of commodity trade, and to the recommendations of the Commission on International Commodity Trade designed to deal with them, including those relating to off-setting the effects of large fluctuations;

“(c) Technical training, education and pre-investment assistance, whether undertaken by international organizations or by individual Governments, should be regarded as an important factor in the economic development of under-developed countries; in particular the fullest possible support should be given to the United Nations Expanded Programme of Technical Assistance, to the United Nations Special Fund and to the other voluntary programmes of the United Nations which are concerned with these ends;

“(d) Technical assistance and the increasing supply of development capital, whether provided through existing and future international organizations and institutions or otherwise, should be of a kind and in a form acceptable to and in accordance with the wishes of the recipients and should involve no unreasonable conditions for them, political, economic, military or other;

“(e) Regional economic groupings should be designed to offer the opportunities of an expanding market to all trading nations without prejudice to the interests of third parties;

“5. *Requests* the Economic and Social Council of the United Nations, the Secretary-General of the United Nations, the specialized agencies, the International Atomic Energy Agency and the Member Governments of these organs to take note of this resolution and asks them to play their appropriate part effectively in carrying out its objectives and principles for the general and common benefit of the human race.”

29. The Ukrainian Soviet Socialist Republic withdrew its first set of amendments (A/C.2/L.477/Rev.1) and the first and third amendments of its second set (A/C.2/L.483); it maintained the second and fourth amendments.

30. Romania withdrew the first of its amendments (A/C.2/L.480); it likewise withdrew the second part of the text of its second. It maintained the first part of the text of its second amendment, i.e., the part reading: “*Recommends* further that the sovereign right of every State to dispose of its wealth and its natural resources should be respected.”

31. Tunisia withdrew its amendments (A/C.2/L.481/Rev.1).

32. Guinea withdrew the first paragraph of its amendment (A/C.2/L.485) but maintained the second paragraph.

33. Indonesia, on behalf of the sponsors of the five-Power amendment (A/C.2/L.489), withdrew those parts of the amendment which had been accepted by the sponsors of the draft resolution, i.e., the first and second insertions. They maintained their amendment to add the words “should be increased and”.

34. The United States of America proposed a sub-amendment (A/C.2/L.496) to the second of the amendments (A/C.2/L.480) by Romania, as modified by the sponsor (see para. 30, above), that the words “with due regard to the rights and duties of States under international law and the desirability of promoting foreign investment;” should be added to the end of the text proposed by Romania. Subsequently, the United States deleted the words “and the desirability of promoting foreign investment;” from its sub-amendment (A/C.2/L.496/Rev.1).

35. At the 678th meeting, the Committee had before it a third revision (A/C.2/L.461/Rev.4) of the eight-Power draft resolution. The sponsors had introduced the following additional changes in the operative paragraphs:

(a) In paragraph 1, the words “contributing to” replaced the word “both”;

(b) In sub-paragraph 4 (b), the words “such as compensatory financing” had been inserted after the words “including those”;

(c) In sub-paragraph 4 (d) the words “Technical assistance and the increasing supply of development capital” had been replaced by the words “Technical assistance and the supply of development capital which are increasing and should be increased further”; the words “acceptable to and” had been deleted; and the word “unreasonable” replaced by the word “unacceptable”;

(d) In sub-paragraph 4 (e) the words “without prejudice to” had been replaced by the words “taking into account;”

(e) The following new paragraph 5 had been introduced:

“*Recommends further* that the sovereign right of every State to dispose of its wealth and its natural resources should be respected in conformity with the rights and duties of States under international law;” and the former paragraph 5 had become paragraph 6.

36. Pakistan withdrew the second of its amendments (A/C.2/L.478), which had been taken into account by the sponsors.

37. Romania withdrew its remaining amendment (see para. 30 above) and the United States withdrew its sub-amendment (A/C.2/L.496/Rev.1).

38. The sponsors of the five-Power amendment (A/C.2/L.489) agreed to withdraw their amendment, and Ceylon proposed orally that the word “and” following the words “which are increasing” in operative sub-paragraph 4 (d) should be deleted and reinserted following the words “institutions or otherwise.”

39. The Ukrainian Soviet Socialist Republic proposed new texts of amendments (A/C.2/L.483/Rev.1) which:

(a) Maintained the second of the amendments proposed in document A/C.2/L.483 (see para. 23 above);

(b) Modified the fourth of the previous amendments by adding the words “and other assistance” after the words “pre-investment assistance” in sub-paragraph 4 (c).

40. Bulgaria submitted an amendment (A/C.2/L.497) that the last part of operative sub-paragraph 4 (d) reading “and should involve no unacceptable conditions for them, political, economic, military or other;” should be amended to read “and should involve no economic or other conditions unacceptable to the recipients, or political or military conditions;”.

41. Poland proposed that the title of the joint draft resolution should be changed to read "Concerted action for economic development of economically less developed countries".

42. At the 679th meeting, the United Kingdom stated, on behalf of the sponsors, that the oral proposal regarding the title which had been made by Poland and the oral amendment of Ceylon had both been accepted. The sponsors had also decided to delete the words "political, economic, military or other" at the end of operative sub-paragraph 4 (d).

43. The Ukrainian Soviet Socialist Republic withdrew the second of the amendments in document A/C.2/L.483/Rev.1, while maintaining the first.

44. Romania proposed that the words "political, economic, military or other" should be reintroduced at the end of operative sub-paragraph 4 (d).

45. Guinea and the Ukrainian Soviet Socialist Republics requested roll-call votes on their amendments.

46. The Committee voted in the following way on the eight-Power draft resolution (A/C.2/L.461/Rev.4), as modified by the sponsors and on the amendments to it:

The amendment of the Ukrainian Soviet Socialist Republic (A/C.2/L.483/Rev.1, first amendment) was rejected by 30 votes to 18, with 36 abstentions. The voting was as follows:

*In favour:* Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ethiopia, Guinea, Hungary, Indonesia, Libya, Mali, Poland, Romania, Saudi Arabia, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia;

*Against:* Australia, Austria, Belgium, Canada, China, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, El Salvador, Federation of Malaya, Finland, France, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay;

*Abstaining:* Afghanistan, Argentina, Brazil, Burma, Cambodia, Ceylon, Chile, Dominican Republic, Ghana, Greece, Guatemala, India, Iran, Iraq, Israel, Laos, Lebanon, Liberia, Madagascar, Mexico, Morocco, Nepal, Niger, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Spain, Sudan, Thailand, Togo, United Arab Republic, Venezuela, Yemen.

The amendment of Guinea (A/C.2/L.485, second paragraph only) was rejected by 23 votes to 21, with 40 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cuba, Czechoslovakia, Ethiopia, Ghana, Guinea, Hungary, Libya, Mali, Morocco, Poland, Romania, Saudi Arabia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia;

*Against:* Australia, Belgium, Canada, China, Colombia, Costa Rica, Denmark, Federation of Malaya, Greece, Italy, Japan, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Spain, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay;

*Abstaining:* Argentina, Austria, Brazil, Ceylon, Chile, Cyprus, Dominican Republic, Ecuador, El Salvador, Finland, France, Guatemala, Iceland, India, Indonesia,

Iran, Iraq, Ireland, Israel, Laos, Lebanon, Liberia, Madagascar, Mexico, Nepal, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Portugal, Senegal, Sudan, Thailand, Togo, Tunisia, United Arab Republic, Venezuela, Yemen.

The amendment of Bulgaria (A/C.2/L.497) was rejected by 35 votes to 20, with 28 abstentions.

The oral amendment by Romania (see para. 44 above) was adopted by 53 votes to 2, with 22 abstentions.

The phrase "in conformity with the rights and duties of States under international law" in operative paragraph 5 of the revised draft resolution, on which a separate vote had been requested by Cuba, was adopted by 54 votes to none, with 26 abstentions.

The eight-Power revised draft resolution as a whole, as amended, was adopted unanimously.

47. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution I, as set forth in paragraph 185 of the present report.

## II

48. The draft declaration on international economic co-operation (A/C.2/L.466) submitted by the Union of Soviet Socialist Republics was introduced by its sponsor at the 672nd meeting of the Committee. The draft declaration reads as follows:

### "DRAFT DECLARATION ON INTERNATIONAL ECONOMIC CO-OPERATION"

"The States Members of the United Nations which have signed this Declaration, starting from the premise that war as a means of settling international political, economic and other problems must be banished from the life of nations, declare their determination to join their efforts in seeking ways and means of ensuring the peaceful coexistence of States with different social systems in conformity with the United Nations Charter.

"The States signatories to the Declaration, being agreed that peaceful coexistence and peaceful competition presuppose a general expansion of economic, cultural and other ties among various countries irrespective of their social systems and that economic co-operation among nations in turn creates a good basis for improving political relations among States and consolidating peace and mutual trust,

"Jointly declare that:

"1. The interests of economic and social progress in the world require the strengthening and development of economic relations among States irrespective of differences in their social and economic systems;

"2. Economic competition among countries with different social systems should not lead to the economic isolation of some countries or to economic warfare;

"3. Economic and trade relations among countries should be founded on the principles of equality, mutual benefit and non-interference in internal affairs;

"4. Countries should adhere to the principle of the most-favoured nation treatment in their mutual trade relations;

"5. Barriers and artificial discriminatory restrictions in international trade should be gradually removed with a view to creating the most favourable conditions for the exchanges of goods and services among nations;

"6. The formation of subregional economic organizations and alignments should not prejudice the interests of third countries.

"The States signatories to this Declaration agree that economically less developed countries are in need of economic and technical aid from more developed countries, an aid which should be provided subject to the following basic principles:

"(a) Assistance to less developed countries in the attainment of their economic independence and in raising the levels of living of their peoples, first and foremost by doing away with the single-crop economy, accelerating their economic development and establishing and developing their national industry;

"(b) Respect for the sovereignty of less developed countries and non-interference in their internal affairs, inadmissibility of making any political, economic or military claims on the recipient States.

"This Declaration, which is fully in conformity with the purposes of the United Nations, is open for accession by all other States which accept its principles."

49. At the 671st meeting, the Committee had agreed that the draft declaration should be considered jointly with the draft resolution submitted by the United Kingdom (A/C.2/L.461).

50. The Committee considered the draft declaration at its 672nd, 673rd and 674th meetings. Statements regarding the draft declaration were also made at the 676th meeting.

51. During the discussion of this draft declaration, certain suggestions for changes in the text were made to the sponsor.

52. At the 673rd meeting, the representative of Afghanistan made a procedural proposal that the Soviet draft declaration be transmitted to the Economic and Social Council, together with the proceedings of the General Assembly's discussions thereon, for consideration at the Council's thirty-second session.

53. Following a further discussion of the declaration, the Committee approved at its 674th meeting, the following motion by Afghanistan:

"The representative of Afghanistan said that the draft declaration was of such importance that it should be discussed by the Economic and Social Council, taking the views expressed in the Committee into consideration. The representative of the Union of Soviet Socialist Republics, though he would have preferred the adoption of the draft declaration, agreed with the proposal of the representative of Afghanistan."

### III

54. The draft resolution submitted by Pakistan (A/C.2/L.469) was introduced by the sponsor at the 683rd meeting. The text of the draft resolution read as follows:

#### "ECONOMIC AND SOCIAL CONSEQUENCES OF DISARMAMENT

"The General Assembly,

"Recalling its resolution 1378 (XIV),

"Conscious that the impact of disarmament is likely to set in motion great changes in the domestic economies of States and in international economic relations, as a result of the progressive diversion of human and material resources from military to peaceful purposes,

"Recognizing that effective action at the national and international levels will need to be taken to make use of material and human resources becoming available as a consequence of disarmament in order to promote social progress and better standards of life in the world,

"Bearing in mind the importance of comprehensive and systematic studies in this field to enable Member States, especially those which are under-developed, to make the necessary economic and social adjustments in the event of disarmament,

"Convinced that it is both timely and desirable to undertake such studies,

"1. Decides to establish a committee of \_\_\_\_\_ highly qualified experts, one from each of the following countries:\* to examine:

"(a) The national economic and social consequences of disarmament in countries with different economic systems and at different stages of economic development, including, in particular, the problems of replacing military expenditures with alternative private and public civil expenditures so as to maintain effective demand and to absorb the human and material resources released from military uses;

"(b) The impact of disarmament on international economic relations, including its effect on world trade and especially on the trade of under-developed countries;

"(c) The utilization of resources released by disarmament for the purpose of economic and social development, in particular of the under-developed countries;

"2. Requests the committee of experts to submit the results of its deliberations to the Economic and Social Council at its \_\_\_\_\_ session; \*\*

"3. Requests the Secretary-General to place at the disposal of the committee such assistance, including documentation, as it may require.

\*The number of experts and the names of the countries to be determined by the Committee.

\*\*The session to which the experts will submit their report to be determined by the Committee."

55. The Committee considered this draft resolution at its 683rd to 686th meetings.

56. At the 683rd meeting, Poland proposed an amendment (A/C.2/L.510) that the following new operative paragraph should be inserted between operative paragraphs 1 and 2:

"2. Appeals to the Governments of States Members of the United Nations to extend to the committee of experts all the assistance necessary for the performance of the tasks entrusted to it;".

57. At the 685th meeting Lebanon proposed an amendment (A/C.2/L.511), the addition of a new sub-paragraph (b) to operative paragraph 1 and the renumbering of the subsequent sub-paragraphs accordingly. The proposed new text read as follows:

"(b) The possible development of structural imbalances in national economies as a result of the cessation of capital investment in armaments industries and the possible corrective effect of expanded capital assistance to the under-developed countries on such imbalances;".

58. Several oral suggestions were also made during the course of the discussion.

59. Pakistan, at the 686th meeting, submitted a revised text of its draft resolution (A/C.2/L.469/Rev.1), in which the following changes had been made:

(a) In operative paragraph 1, the introductory phrase had been replaced by the words "*Requests the Secretary-General to examine*";

(b) Operative paragraphs 2 and 3 had been replaced by the following text:

"2. *Recommends* that the Secretary-General should conduct the proposed examination with the assistance of expert consultants to be appointed by him with due regard to their qualifications and to the need of geographical representation and intimate knowledge of countries with different economic systems and at different stages of economic development;

"3. *Requests* the Secretary-General to submit a preliminary report on the results of the examination to the Economic and Social Council at its thirty-third session;

"4. *Requests* the Economic and Social Council to transmit the report with its views to the General Assembly at its seventeenth session;

"5. *Appeals* to Governments to give full co-operation to the Secretary-General in the fulfilment of the task entrusted to him."

60. Poland withdrew its amendment (A/C.2/L.510).

61. The representative of Lebanon, acting on a suggestion by the representative of the Philippines, orally modified his amendment (A/C.2/L.511) adding a new sub-paragraph to operative paragraph 1, by rewording the last phrase to read: "... and the adoption of possible corrective measures to prevent such imbalances, including expanded capital assistance to the under-developed countries;"

62. The representative of Italy suggested, and the sponsor agreed, that operative paragraph 5 should become operative paragraph 3, and operative paragraphs 3 and 4 be renumbered 4 and 5 respectively.

63. The Committee heard a statement<sup>7</sup> by the representative of the Secretary-General concerning the financial implications of the revised draft resolution.

64. The Committee then voted at its 686th meeting as follows on the amendment by Lebanon (A/C.2/L.511, as modified) and on the revised draft resolution (A/C.2/L.469/Rev.1), as modified by the sponsor:

The amendment by Lebanon, as modified, was adopted by 19 votes to 15, with 35 abstentions.

The draft resolution as a whole, as amended and modified, was adopted by 66 votes to none, with 4 abstentions.

65. The Committee therefore recommends to the General Assembly the adoption of draft resolution II as set forth in paragraph 185 of the present report.

#### IV

66. The draft resolution submitted by Argentina, Denmark, Netherlands, New Zealand, Pakistan, Peru, Thailand and Tunisia (A/C.2/L.492) was introduced by the representative of Peru at the 694th meeting. The text of the draft resolution read as follows:

#### "PROJECTIONS

*"The General Assembly,*

*"Considering* the importance of projections of certain major international economic trends, particularly in the field of primary products,

*"Aware* of the special importance of such projections to the less developed countries, including those which have recently achieved their political independence, for the formulation of their long-term policies for the development of their natural resources,

*"Recalling* its resolution 1428 (XIV) on world economic development,

*"Taking note* of the activities of the Economic and Social Council in this field and, in particular, of its resolution 777 (XXX) concerning the solution of problems relating to methodology, comparability and collation of relevant data,

*"Believing* that the need to accelerate the economic development of the under-developed countries calls for an intensification of all activities conducted in this field in order to make available even tentative data on the medium- and long-term prospects for the production and exports of those countries in the light of the long-term trends prevailing in the world economy,

"1. *Endorses* resolution 777 (XXX) of the Economic and Social Council;

"2. *Requests* the Economic and Social Council to intensify its work in the field of economic and social projections;

"3. *Recommends* that the regional economic commissions continue and intensify their activities in this field;

"4. *Invites* the Commission on International Commodity Trade to continue the consideration of this question at its next session and to make such recommendations as it deems appropriate;

"5. *Requests* the Secretary-General, bearing in mind the recommendations of the afore-mentioned Commission, to prepare, in consultation with the Director-General of the Food and Agriculture Organization and in co-operation with the Executive Secretaries of the regional economic commissions, a study containing tentative medium- and long-term projections of the prospective international demand for, and supply of, selected major primary commodities at present exported by the under-developed countries; and

"6. *Further requests* the Secretary-General to submit this study, together with a note on the methodology used, to the Economic and Social Council for consideration at its thirty-fourth session and for transmission, with its observations, to the General Assembly at its seventeenth session."

67. The Committee considered this draft resolution at its 694th, 695th and 696th meetings.

68. At the 695th meeting, Burma proposed amendments (A/C.2/L.523): first, the insertion of the following as the second preambular paragraph:

*"Considering further* the importance of projections in drawing up plans of economic development," and, second, the insertion of the following as a new operative paragraph between operative paragraphs 4 and 5:

<sup>7</sup> Subsequently issued as A/C.2/L.469/Rev.1/Add.1.

"5. *Urges* that the technical assistance programmes of the United Nations and of the regional economic commissions give particular attention to the technique of projections for purposes of drawing up plans of economic development;"

69. Several oral suggestions were also made to the sponsors during the course of the discussion. The sponsors then agreed to introduce the following changes in the text of their draft resolution:

(a) In the second preambular paragraph, they replaced the words "for the formulation of their long-term policies for the development of their natural resources" by the words "for the formulation of their long-term policies and plans for economic development, including the use of their natural resources";

(b) In operative paragraph 4, they replaced the words "4. *Invites* the Commission on International Commodity Trade" by the words "4. *Welcomes* the decision of the Commission on International Commodity Trade" and inserted the words "invites it" before the words "to make such recommendations";

(c) They expanded the phrase in operative paragraph 6 "together with a note on the methodology used" to read "together with a detailed note on the methodology used and the problems encountered".

70. Burma withdrew the first of its amendments (A/C.2/L.523) and agreed not to press the second.

71. At the 695th meeting the Committee unanimously adopted the draft resolution (A/C.2/L.492), as modified by the sponsors.

72. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution III as set forth in paragraph 185 of this report.

## V

73. The draft resolution submitted by Argentina, Burma, El Salvador, Ethiopia, Gabon, Ghana, Liberia, Libya, Morocco, Sudan, Thailand, United Arab Republic, Venezuela and Yugoslavia (A/C.2/L.470) later joined by Somalia (A/C.2/L.470/Add.1) read as follows:

### "DECENTRALIZATION OF THE UNITED NATIONS ECONOMIC AND SOCIAL ACTIVITIES AND STRENGTHENING OF THE REGIONAL ECONOMIC COMMISSIONS"

*"The General Assembly,*

*"Expressing* its satisfaction that the Economic and Social Council recognized the value of regional co-operation in the establishment of the United Nations system of regional economic commissions to which the Economic Commission for Africa was added in 1958,

*"Noting with approval* the conclusion of the Committee on Programme Appraisal of the Economic and Social Council (E/3347/Rev.1, para. 318) as endorsed by resolution 793 (XXX) that the regional economic commissions were steadily gaining in importance as focal centres for the discussion and the promotion of economic development, including its social aspects, and that it was in the commissions that experts, planners and administrators met, who had primary responsibility for the economic development of the respective countries in the several regions,

*"Welcoming* also resolution 795 (XXX) on co-ordination in the field, adopted by the Economic and So-

cial Council on 3 August 1960, and being aware of the need for regional co-ordination requiring the co-operation of the Resident Representatives of the Technical Assistance Board in individual countries with the regional economic commissions,

*"Recognizing* that the regional economic commissions are not limited under their terms of reference to studies and deliberations, and are actually performing various operational functions through their secretariats,

*"Reaffirming* its resolution 1158 (XII) on Activities of the regional economic commissions of 26 November 1957,

*"Bearing in mind* particularly resolutions 11 (II) and 19 (II) of the Economic Commission for Africa, resolution 31 (XVI) of the Economic Commission for Asia and the Far East, resolutions 153 (VIII), 155 (VIII), 172 (AC.45) and 173 (AC.45) of the Economic Commission for Latin America and resolution 4 (XV) of the Economic Commission for Europe,

*"1. Reiterates* the view expressed by the Economic and Social Council in resolution 793 (XXX) that the regional economic commissions have an increasingly important role to play in assisting in the initiation, implementation and co-ordination of economic and social programmes and activities of member countries at the regional level, including appropriate technical assistance projects;

*"2. Invites* all States Members of the United Nations to advance further their active support of the activities of the United Nations regional economic commissions, and all States members of the respective commissions to take further advantage of the facilities and services which could be made available by or through their secretariats;

*"3. Urges* the regional commissions to strengthen co-operation among themselves, including exchange of the results of work and experiences gained;

*"4. Requests* the Secretary-General to consult the regional economic commissions at their next annual sessions and to report to the thirty-second session of the Economic and Social Council and to the sixteenth session of the General Assembly on the steps he has taken in implementation of resolution 793 (XXX) regarding the decentralization of activities and operations and the increased utilization of the services of the regional economic commissions."

74. Nigeria proposed an amendment (A/C.2/L.473): the insertion of the following new operative paragraph between operative paragraphs 3 and 4:

*"4. Invites* the Secretary-General to make every effort to strengthen the secretariats of the regional economic commissions and in particular to develop, in co-operation with the independent African States, the secretariat of the Economic Commission for Africa to the level required for the adequate discharge of its important tasks;"

75. The sponsors, now comprising Argentina, Brazil, Burma, Chile, Colombia, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guinea, India, Iraq, Liberia, Libya, Morocco, Nigeria, Pakistan, Sudan, Thailand, Togo, Tunisia, United Arab Republic, Venezuela and Yugoslavia, submitted a revised version of their draft resolution (A/C.2/L.470/Rev.1 and Add.1) before the Committee began to consider it. This revised draft resolution, which took into account the amendment by Ni-

geria (A/C.2/L.473) was introduced by the representative of Ghana at the 687th meeting. It read as follows:

*"The General Assembly,*

*"Expressing its satisfaction that the Economic and Social Council recognized the value of regional co-operation in the establishment of the United Nations system of regional economic commissions to which the Economic Commission for Africa was added in 1958,*

*"Welcoming resolution 795 (XXX) on co-ordination in the field, adopted by the Economic and Social Council on 3 August 1960, and being aware of the need for regional co-ordination requiring the co-operation of the Resident Representatives of the Technical Assistance Board in individual countries with the regional economic commissions,*

*"Recognizing that the regional economic commissions are not limited under their terms of reference to studies and deliberations, and are actually performing various operational functions through their secretariats,*

*"Reaffirming its resolution 1158 (XII) on activities of the regional economic commissions of 26 November 1957,*

*"Bearing in mind particularly resolutions 11 (II) and 19 (II) of the Economic Commission for Africa, resolution 31 (XVI) of the Economic Commission for Asia and the Far East, resolutions 153 (VIII), 155 (VIII), 172 (AC.45) and 173 (AC.45) of the Economic Commission for Latin America and resolution 4 (XV) of the Economic Commission for Europe,*

*"1. Notes with satisfaction the conclusion of the Committee on Programme Appraisal of the Economic and Social Council (E/3347/Rev.1, para. 318) as endorsed by resolution 793 (XXX) that the regional economic commissions are playing an increasingly important role in the preparation and carrying out of programmes and activities, in the economic and social fields, both as focal centres for the promotion of economic and social development, and as meeting grounds for experts who contribute to this development in their respective countries in the several regions;*

*"2. Invites all States Members of the United Nations to advance further their active support of the activities of the United Nations regional economic commissions, and all States members of the respective commissions to take further advantage of the facilities and services which could be made available by or through their secretariat;*

*"3. Urges the regional economic commissions to strengthen co-operation among themselves, including exchange of the results of work and experiences gained on problems of common interest;*

*"4. Requests the Secretary-General to make every effort to strengthen the secretariat of the regional economic commissions, and in particular to promote and assist, in continuing co-operation with the independent African States, the effective functioning of the secretariat of the Economic Commission for Africa;*

*"5. Requests the Secretary-General to consult the regional economic commissions at their next annual sessions and to report to the thirty-second session of the Economic and Social Council and to the sixteenth session of the General Assembly on the steps he has taken in implementation of resolution 793 (XXX) regarding the decentralization of activities and opera-*

*tions and the increased utilization of the services of the regional economic commissions."*

76. The Committee considered the revised draft resolution at its 687th, 688th and 689th meetings.

77. At the 687th meeting, the United States of America proposed amendments (A/C.2/L.513) that

(a) The words "requiring the co-operation of the Resident Representatives of the Technical Assistance Board in individual countries with the regional economic commissions" in the second preambular paragraph should be replaced by the words "among local and regional representatives of the Secretary-General, of the Technical Assistance Board and of the specialized agencies";

(b) The words "the Economic and Social Council to take all steps it considers appropriate to ensure that" should be inserted after the word "*Urges*" in operative paragraph 3, and the word "to" in the same line should be deleted.

78. Various oral suggestions were also made, and at the 688th meeting a second revision of the draft resolution (A/C.2/L.470/Rev.2), containing the following changes, was received by the Committee:

(a) Second preambular paragraph: the words "requiring the co-operation of the Resident Representatives of the Technical Assistance Board in individual countries with the regional economic commissions" was replaced by "among the representatives of the Technical Assistance Board and of the specialized agencies, with the executive secretaries of the regional economic commissions,";

(b) Operative paragraph 1: the words "endorsed by" were replaced by the words "mentioned in";

(c) Operative paragraph 3: the words "and among their executive secretaries" were inserted after the words "strengthen co-operation among themselves".

79. The United States of America withdrew the first of its amendments (A/C.2/L.513) while maintaining the second.

80. The United Kingdom proposed amendments (A/C.2/L.515) to the second revised text of the draft resolution by which:

(a) The title would be amended to read "Strengthening of the regional economic commissions and co-ordination in the field";

(b) In the second preambular paragraph, the words "and being aware of the need for regional co-ordination among the representatives of the Technical Assistance Board and of the specialized agencies, with the executive secretaries of the regional economic commissions," would be replaced by the words "and being aware of the continuing need for regional co-ordination which requires liaison and co-operation between the representatives of the Technical Assistance Board and the specialized agencies and the executive secretaries of the regional economic commissions,";

(c) In operative paragraph 5, the words "and the specialized agencies" would be inserted between the word "sessions" and the words "and to report to the thirty-second session".

81. Israel submitted an amendment (A/C.2/L.516) by which the following phrase would be added at the end of operative paragraph 3: "with due regard to the need for the most effective use of over-all resources".

82. Certain oral suggestions were also made during the discussion.

83. At the 689th meeting, a new revision (A/C.2/L.470/Rev.3) was received by the Committee which incorporated the second and third amendments by the United Kingdom (A/C.2/L.515), and in which the phrase "... with due regard to the relevant resolutions of the Economic and Social Council ..." had been inserted in operative paragraph 3 after the words "*Urges* the regional economic commissions".

84. In the light of the revised text of operative paragraph 3, the United States withdrew the second of its amendments (A/C.2/L.513) and the United Kingdom withdrew the first of its amendments (A/C.2/L.515).

85. The Committee then voted as follows on the revised draft resolution (A/C.2/L.470/Rev.3) and on the amendment by Israel (A/C.2/L.516):

The amendment by Israel (A/C.2/L.516) was rejected by 25 votes to 19, with 22 abstentions;

The second preambular paragraph, on which a separate vote had been requested by the Union of Soviet Socialist Republics, was adopted by 57 votes to 9, with 1 abstention;

Operative paragraph 4, on which a separate vote had been requested by Spain, was adopted by 60 votes to none, with 6 abstentions;

The revised draft resolution as a whole was adopted unanimously.

86. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution IV, as set forth in paragraph 185 of the present report.

## VI

87. The draft resolution by Bulgaria, Czechoslovakia and Poland (A/C.2/L.471) was introduced by the representative of Poland at the 689th meeting. The text of the draft resolution read as follows:

"STRENGTHENING AND DEVELOPMENT OF THE WORLD MARKET AND IMPROVEMENT OF THE TRADE CONDITIONS OF THE ECONOMICALLY LESS DEVELOPED COUNTRIES

*"The General Assembly,*

*"Recalling* its resolution 1421 (XIV) of 5 December 1959 on strengthening and developing of the world market and improvement of the trade conditions of the economically less developed countries,

*"Recognizing* that expansion of trade between all countries, and in particular between those of different social and economic systems and those at markedly different stages of economic development is of vital importance for the progress and welfare of all peoples and for the strengthening of peace, and constitutes one of the most efficient means of accelerating the increase in the rate of development of the less developed economies,

*"Considering* the endeavours made in this direction by the different United Nations bodies, and in particular by the Economic Commission for Europe, as far as trade between countries of different economic systems is concerned,

*"Being aware* that regional trade co-operation presents an important step towards world economic and trade co-operation,

*"Taking note* of resolution 778 (XXX) of the Economic and Social Council and of resolution 6 (XV) of the Economic Commission for Europe,

*"Reiterating* the high priority of this field of work of the United Nations in its activities related to the world economy,

*"Requests* the Economic and Social Council:

"(1) To recommend to the Economic Commission for Europe to step up the studies envisaged in its resolution 6 (XV);

"(2) To recommend to the regional economic commissions to discuss the causes and obstacles which have prevented a substantial rise in the volume of exports of the economically less developed countries to the highly industrialized ones, as well as the ways and means of improving the existing situation and to present their views on these matters to the thirty-second session of the Economic and Social Council;

"(3) To recommend to the economic commissions for Europe, for Asia and the Far East, for Latin America and for Africa to elaborate further appropriate measures to promote intra-regional trade co-operation, bearing in mind the necessity to observe the principles of mutually beneficial and non-discriminatory international trade;

"(4) To discuss at its thirty-second session under a separate item the findings of the studies recommended in sub-paragraphs (1), (2) and (3) of this resolution along with the report\* being prepared under General Assembly resolution 1421 (XIV) on ways and means of promoting wider trade co-operation among States, in order to submit those studies together with the Council's comments to the sixteenth session of the General Assembly.

\*E/3389 and Corr.1/Rev.1, and the further report to be submitted to the Economic and Social Council at its thirty-second session."

88. The Committee considered this draft resolution at its 689th, 690th and 691st meetings.

89. At the 689th meeting, the United States of America proposed the following amendments (A/C.2/L.517):

(a) The second preambular paragraph would be replaced by the following text:

*"Recognizing* that expansion of peaceful trade is of importance for the progress and welfare of all peoples and constitutes one of the most efficient means of accelerating the increase in the rate of development of the less developed economies,"

(b) The words "to step up" in operative sub-paragraph (1) would be replaced by the words "to ensure the preparation of", and the words "in time for the thirty-second session of the Council" would be added at the end of the sub-paragraph;

(c) The words "to the highly industrialized ones" in operative sub-paragraph (2) would be deleted;

(d) The last part of operative sub-paragraph (3), beginning with the words "bearing in mind ..." would be deleted;

(e) The words "under a separate item" in operative sub-paragraph (4) would be deleted.

90. At the 690th meeting, the sponsors submitted a revised text of the joint draft resolution (A/C.2/L.471/Rev.1) containing the following changes:

(a) The second preambular paragraph was revised to read as follows:

*"Recognizing* that expansion of international trade and, in particular, of trade between countries of different social and economic systems as well as of trade between countries at markedly different stages of economic development is of importance for the progress and welfare of all peoples, contributes to the strengthening of peace, and constitutes one of the most efficient means of accelerating the increase in the rate of development of the less developed economies,";

(b) The last part of operative sub-paragraph (3) beginning with the words "bearing in mind . . ." was transferred to the preamble, to become its third paragraph;

(c) In the fifth (formerly fourth) preambular paragraph, the words "which does not prejudice the interests of other countries or the interest of world trade at large" were inserted after the words "regional trade co-operation";

(d) In operative sub-paragraph (1) the words "to step up" were replaced by the words "to ensure the preparation of" and the words "in time for the thirty-second session of the Council" were added at the end of the paragraph;

(e) The words "continue to" were inserted in operative sub-paragraph (2) after the words "To recommend to the regional economic commissions to" and the words "in particular" before the words "to the highly industrialized ones".

91. The United States thereupon withdrew the first and second of its amendments, maintained the third and fifth, and modified the fourth orally, to propose the insertion of the words "the General Agreement of Tariffs and Trade concerning" after the words "the principles of" in the new third preambular paragraph.

92. A number of oral suggestions were made to the sponsors of the draft resolution by other delegations.

93. At the 691st meeting, the sponsors of the draft resolution submitted a second revised text (A/C.2/L.471/Rev.2), which contained the following changes:

(a) The second, third and fourth preambular paragraphs had been reworded to read:

*"Recognizing* that expansion of international trade and, in particular, of trade between countries of different social and economic systems as well as of trade between countries at markedly different stages of economic development is of importance for the progress and welfare of all peoples, contributes to the strengthening of peace, and constitutes one of the most efficient means of accelerating the increase in the rate of development of the less developed countries, many of which have recently become Members of the United Nations,

*"Bearing in mind* the importance of maintaining and developing generally beneficial trade free from artificial restrictions,

*"Considering* the endeavours made in this direction by the different United Nations bodies, and, in particular, by the Commission on International Commodity Trade and, as far as trade between countries of different economic systems is concerned, by the Economic Commission for Europe,"

(b) Operative sub-paragraph (2) was revised to read as follows:

"(2) To recommend to the Commission on International Commodity Trade and to the regional eco-

nomie commissions to continue to study the causes and obstacles which have resulted in substantial fluctuations, whether in volume or prices, of exports of the economically less developed countries, as well as the ways and means of improving the existing situation and to present their views on these matters to the thirty-second session of the Economic and Social Council, which in its studies and recommendations should take into account the problems of all member countries, including those which at present do not belong to any regional economic commission;"

(c) The words "after a preliminary exchange of views of the executive secretaries of the regional economic commissions together with the Chairman of the Commission on International Commodity Trade," were inserted in operative sub-paragraph (4) after the words "to discuss at its thirty-second session,".

94. The United States thereupon withdrew the third and fourth of its amendments maintaining only the fifth (see para. 89 above).

95. The representative of Haiti proposed orally that the word "real" be inserted before the word "importance" in the second and third preambular paragraphs. This suggestion was accepted by the sponsors.

96. The Committee then voted as follows on the revised draft resolution (A/C.2/L.471/Rev.2) as further changed by the sponsors, and on the amendment to it:

The amendment by the United States of America (A/C.2/L.517, fifth amendment) was adopted by 30 votes to 20, with 24 abstentions;

The word "real" in the second preambular paragraph, on which a separate vote had been requested by Denmark, was adopted by 33 votes to 2, with 37 abstentions;

The words "and, in particular, of trade between countries of different social and economic systems as well as of trade between countries at markedly different stages of economic development is of importance for the progress and welfare of all peoples, contributes to the strengthening of peace, and" in the second preambular paragraph, on which a separate vote had been requested by New Zealand, were adopted by 38 votes to 18, with 17 abstentions;

Operative sub-paragraph (1), on which a separate vote had been requested by Italy, was adopted by 30 votes to 17, with 27 abstentions;

The revised draft resolution as a whole, as amended, was adopted by 64 votes to none, with 13 abstentions.

97. The Committee therefore recommends to the General Assembly the adoption of draft resolution V in paragraph 185 of the present report.

## VII

98. The draft resolution submitted by Colombia and Costa Rica (A/C.2/L.493) read as follows:

### "IMPROVEMENT OF THE TERMS OF TRADE BETWEEN THE INDUSTRIAL AND THE UNDER-DEVELOPED COUNTRIES

*"The General Assembly,*

*"Noting* that the greatest economic development problem in most of the under-developed countries is the imbalance between the prices of the products they export and those of the merchandise and other goods which they need to import,

*"Considering* that for the above-mentioned reason the terms of trade have been deteriorating year after

year, thereby creating a difficult situation of economic and social instability in the countries concerned,

*"Appreciating* that the means these countries can adopt in isolation to protect the prices of the raw materials or primary products which they produce are very weak and for the most part ineffective,

*"Observing* that the industrial countries have established the practice of negotiating the sale of their agricultural surpluses by means of inter-State agreements,

*"Recognizing* that by this procedure a considerable improvement could be brought about in the terms of trade between the industrial and the under-developed countries,

*"1. Recommends* the Economic and Social Council and the Commission on International Commodity Trade to study measures which might be adopted in order to generalize the procedure of inter-State agreements with a view to the sale of the primary products which form the basis of the economies of the under-developed countries;

*"2. Requests* the Economic and Social Council and the Commission on International Commodity Trade to report to the General Assembly at its next session on any results of its study which might promote the above end."

99. The sponsors submitted a revised version of their draft resolution (A/C.2/L.493/Rev.1) before the Committee began to consider it. This version, which was introduced by the representative of Colombia at the 700th meeting, read as follows:

*"The General Assembly,*

*"Recalling* that the greatest economic development problem in most of the under-developed countries is the imbalance between the prices of the products they export and those of the merchandise and other goods which they need to import,

*"Considering* that the terms of trade of the under-developed countries have been deteriorating year after year, thereby creating a difficult situation of economic and social instability in the countries concerned,

*"Appreciating* that the means these countries can adopt in isolation to protect the prices of the raw materials or primary products which they produce are very weak and for the most part ineffective,

*"Noting* that the international agreements concluded between producers and consumers in the case of sugar, wheat and tin might be extended to all commodities and might be broadened on new bases more favourable to the under-developed countries,

*"Observing* further that the industrial countries have established the practice of negotiating the sale of their agricultural surpluses by means of inter-State agreements,

*"Recognizing* that by such procedures a considerable improvement could be brought about in the terms of trade between the industrial and the under-developed countries,

*"1. Recommends* that the Economic and Social Council and the Commission on International Commodity Trade intensify the study of measures which might be adopted in order to generalize and improve the procedure of inter-State agreements with a view to the sale of the primary products which form the basis of the economies of the under-developed countries;

*"2. Requests* the Economic and Social Council and the Commission on International Commodity Trade to report to the General Assembly at its next session on any results of its study which might promote the above end."

100. The Committee considered this revised draft resolution at its 700th and 705th meetings.

101. At the 705th meeting, the sponsors submitted a second revision of their draft resolution (A/C.2/L.493/Rev.2), which contained the following changes:

(a) The words "year after year, thereby creating a" in the second preambular paragraph had been replaced by the words "steadily in recent years, thereby contributing to the";

(b) The words "all commodities" in the fourth preambular paragraph had been replaced by the words "other commodities";

(c) The fifth preambular paragraph had been replaced by the following:

*"Noting further* that there are other measures which States Members of the United Nations and of the specialized agencies might take to alleviate the export problems of under-developed countries through improving their access to the markets of the more developed countries for their present and potential export products,";

(d) Operative paragraphs 1 and 2 had been replaced by the following text:

*"1. Recommends* that the Economic and Social Council and the Commission on International Commodity Trade intensify the study of measures, including in particular agreements among States, which might be adopted in order to extend and improve markets for the sale of primary commodities which form the basis of the economies of the under-developed countries;

*"2. Requests* the Economic and Social Council and the Commission on International Commodity Trade to report to the General Assembly at its next session on any results of such studies as well as other similar studies now under way in various international organizations which might promote the above ends."

102. During the course of the discussion, several oral suggestions were made to the sponsors.

103. The representative of Colombia, on behalf of the sponsors, made the following additional changes in the text of the revised draft resolution:

(a) The words "the greatest economic development problem" in the first preambular paragraph would be replaced by the words "one of the greatest economic development problems";

(b) The fourth preambular paragraph would be re-drafted as follows:

*"Expressing the hope* that agreements similar to the international agreements concluded between producers and consumers in the case of sugar, wheat and tin could be concluded in the case of other primary commodities and implemented on a wider basis more favourable to the under-developed countries,";

(c) The word "multilateral" would be inserted in operative paragraph 1 before the words "agreements among States,";

(d) The words "and the Commission on International Commodity Trade" would be deleted from operative paragraph 2.

104. The revised draft resolution (A/C.2/L.493/Rev.2), as modified by the sponsors, was adopted unanimously.

105. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution VI as set forth in paragraph 185 of the present report.

### VIII

106. The draft resolution submitted by Afghanistan, Argentina, Bolivia, Brazil, Cambodia, Ceylon, Chile, Colombia, Cuba, Ecuador, Ethiopia, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Laos, Lebanon, Liberia, Libya, Mali, Morocco, Nepal, Nigeria, Pakistan, Peru, Philippines, Somalia, Sudan, Thailand, Tunisia, Turkey, United Arab Republic, Uruguay, Yemen and Yugoslavia (A/C.2/L.472), later joined as co-sponsors by Burma, Cyprus, Federation of Malaya, Panama, Saudi Arabia, Sudan and Togo (A/C.2/L.472/Add.1-4) was introduced by the representative of Yugoslavia at the 691st meeting. The text of the draft resolution read as follows:

#### "ESTABLISHMENT OF A UNITED NATIONS CAPITAL DEVELOPMENT FUND

*"The General Assembly,*

*"Bearing in mind the determination of the peoples of the United Nations to employ international machinery for the promotion of economic and social advancement of all peoples,*

*"Recognizing the urgency of accelerating the economic and social development of under-developed countries,*

*"Recognizing further that the present flow of capital from the economically advanced countries to the under-developed countries for the economic and social development of the latter is wholly inadequate in nature and scope,*

*"Considering the need for the United Nations to supplement all existing efforts for capital assistance to the under-developed countries,*

*"Recalling its resolution 1219 (XII), 1240 (XIII), 1317 (XIII) and 1424 (XIV) and Economic and Social Council resolutions 662 (XXIV) and 740 (XXVIII),*

*"1. Decides to establish a United Nations capital development fund;*

*"2. Resolves that the draft statutes of the United Nations capital development fund shall be prepared by a committee of . . . representatives of Member States to be designated by the President of the General Assembly, on the basis of an equitable geographical distribution;*

*"3. Requests the above committee to submit the draft statutes to the thirty-second session of the Economic and Social Council, which shall transmit it together with its comments to the sixteenth session of the General Assembly for action;*

*"4. Requests the Secretary-General to provide the above-mentioned committee with the necessary facilities."*

107. The Committee considered this draft resolution at its 691st to 693rd, 699th and 705th meetings.

108. Denmark, Greece, Netherlands, and Sweden proposed the following amendments (A/C.2/L.514):

(a) Operative paragraph 1 would be replaced by the following:

"1. *Looks forward* to the earliest possible establishment of a United Nations capital development fund;";

(b) Operative paragraph 2 would be replaced by the following:

"2. *Decides* that the concrete possibilities for the establishment of such a fund shall be considered by a committee of . . . representatives of Member States to be appointed by the President of the General Assembly;";

(c) The following new operative paragraph would be inserted between operative paragraphs 2 and 3:

"3. *Recommends* that the committee mentioned in paragraph 2 shall take into account:

"(a) The need to accelerate the economic and social development of the less developed countries by increased capital investments;

"(b) The necessity to have the fullest possible use of existing machinery for international assistance of the economic and social development of the less developed countries, especially the United Nations Special Fund;

"(c) The need for close working relationships and effective co-ordination between all organs active in the field of international financing of the economic and social development of the less developed countries;";

(d) The words "the draft statutes" in operative paragraph 3 (now paragraph 4) would be replaced by the words "its recommendations".

109. At the 699th meeting, the sponsors submitted a revision (A/C.2/L.472/Rev.1) of the joint draft resolution, of which Chad became a co-sponsor (A/C.2/L.472/Rev.1/Add.1). It contained the following changes:

(a) Operative paragraph 1 had been revised to read:

"1. *Decides* that a United Nations capital development fund shall be established;";

(b) Operative paragraph 2 was revised to read as follows:

"2. *Resolves* that a committee of twenty-five representatives of Member States to be designated by the President of the General Assembly, on the basis of equitable geographical distribution, shall consider all concrete preparatory measures, including draft legislation, necessary to that end;";

(c) The words "the draft statutes" in operative paragraph 3 were replaced by the words "its recommendations, including the draft legislation,"; and the word "it" was replaced by the word "them".

110. At the 705th meeting, the sponsors of the four-Power amendments (A/C.2/L.514) withdrew them.

111. Denmark, Greece, and the Netherlands proposed the following amendments (A/C.2/L.535):

(a) Operative paragraph 1 would be revised to read:

"*Decides* in principle that a United Nations capital development fund shall be established;";

(b) The following new operative paragraph would be inserted between operative paragraphs 2 and 3:

"3. *Recommends* that the committee mentioned in paragraph 2 shall take into account:

"(a) The need to accelerate the economic and social development of the less developed countries by increased capital investments;

"(b) The necessity to have the fullest possible use of existing machinery for international assistance of the economic and social development of the less developed countries, especially the United Nations Special Fund;

"(c) The need for close working relationships and effective co-ordination between all organs active in the field of international financing of the economic and social development of the less developed countries;"

112. The representative of Burma, on behalf of the sponsors of the revised draft resolution (A/C.2/L.472/Rev.1), accepted the first of the three-Power amendments (A/C.2/L.535).

113. The representative of Greece, on behalf of the sponsors of the amendments, withdrew the second of the amendments, on the understanding that, as had been stated by the representative of Burma, the forty-four sponsors had no objections in principle to the proposed new operative paragraph 3, but that the provisions thereof were not comprehensive enough and that it would take too long to draft a comprehensive text acceptable to all. Furthermore, the committee to be appointed under that resolution would take into consideration the suggestions embodied in that amendment. The representative of Burma, on behalf of the sponsors, concurred with this understanding.

114. Ghana requested a roll-call vote on the draft resolution as a whole and Ethiopia requested a roll-call vote on operative paragraph 1.

115. The Committee then voted as follows on the revised draft resolution (A/C.2/L.472/Rev.1 and Add.1), as modified by the sponsors:

The third preambular paragraph, on which a separate vote had been requested by France, was adopted by 65 votes to 6, with 7 abstentions.

Operative paragraph 1, on which a separate vote had been requested by Sweden, was voted on separately by roll-call and was adopted by 67 votes to 5, with 8 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Gabon, Ghana, Greece, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Italy, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Netherlands, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Australia, France, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Belgium, Canada, Finland, Haiti, Ireland, Japan, New Zealand, Sweden.

The revised draft resolution, as a whole and as modified, was adopted by a roll-call vote of 68 votes to 4, with 8 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ethiopia, Federation of Malaya,

Gabon, Ghana, Greece, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Italy, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Netherlands, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Australia, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Belgium, Canada, Finland, France, Ireland, Japan, New Zealand, Sweden.

116. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution VII as set forth in paragraph 185 of the present report.

## IX

117. The draft resolution submitted by Afghanistan, Burma, Ceylon, Ghana, India, Indonesia, Iraq, Nigeria, United Arab Republic, and Yugoslavia (A/C.2/L.474), and by Chad, Nepal, Pakistan, and Yemen (A/C.2/L.474/Add.1-2) was introduced by the representative of India at the 694th meeting. The text of the draft resolution read as follows:

### "ACCELERATED FLOW OF CAPITAL AND TECHNICAL ASSISTANCE TO THE DEVELOPING COUNTRIES"

*"The General Assembly,*

*"Bearing in mind* the responsibilities laid upon Member States by Article 55 of the Charter to promote higher standards of living, full employment and conditions of economic and social progress and development, and by Article 56 to take joint action in co-operation with the United Nations for the achievement of these purposes,

*"Bearing also in mind* the widening gap in standards of living between the economically advanced and the less developed countries and the necessity to deal with it through international co-operative action,

*"Recognizing* the urgency and importance of accelerating the economic and social development of the under-developed countries for the maintenance of world peace and security and the promotion of better understanding among nations,

*"Recognizing further* that the nature and volume of the present flow of capital and the scope of technical assistance from the economically advanced countries to the under-developed countries for their economic and social development are inadequate,

*"1. Urges* all economically advanced States to ensure as a matter of continuing national policy that the total annual net outflow of funds from their own countries for promoting the economic development of the under-developed States is increased to and maintained at a level not below approximately 1 per cent of their national income;

*"2. Urges further* that while the outflow of funds to the under-developed countries could be through public or private channels whether bilaterally, multilaterally, or through international organizations, as much as possible of these funds should be channelled through the United Nations and its specialized agencies and in such a manner as not to bear heavily on the future balance of payments of less developed countries;

"3. *Recommends* that States take such legal and organizational steps as may be necessary to achieve the above-mentioned objectives;

"4. *Requests* the Secretary-General to report annually to the General Assembly on the progress made towards the objectives of this resolution."

118. The Committee considered this draft resolution at its 694th, 701st, 704th, 705th, 709th and 710th meetings.

119. The Committee heard general comments on the draft resolution at the 701st and 704th meetings, during the course of which certain oral suggestions were made to the sponsors.

120. At the 705th meeting, India introduced a revised text of the draft resolution (A/C.2/L.474/Rev.1) on behalf of the sponsors, which then included Sudan (A/C.2/L.474/Rev.1/Add.1). The revised version embodied the following changes:

(a) The fourth preambular paragraph and operative paragraph 1 had been replaced by the following paragraphs:

"*Recognizing further* that while the primary responsibility for their economic development, whether through the creation of appropriate social and economic conditions or the generation of internal capital, is and must remain that of the economically under-developed countries themselves, this development would be greatly aided by improving the nature and increasing the volume of the present flow of capital and the scope of technical assistance from the economically advanced countries to the under-developed countries,

"*Appreciating* the steady contribution already made over the years to the promotion of development by the regular outflow of international assistance,

"*Believing* however that this present flow is inadequate,

"1. *Expresses* the hope that this outflow of international assistance, which, according to the definitions employed by the United Nations already runs at the rate of about 1/2 per cent of the national incomes of the economically advanced countries, should be further increased substantially so as to reach approximately 1 per cent of their national incomes as soon as possible;"

(b) At the beginning of operative paragraph 2 the words "*Urges further*" had been replaced by the word "*Urges*";

(c) In operative paragraph 3 the words "such legal and organizational steps" had been replaced by the words "such measures".

121. At the 709th meeting India, on behalf of the sponsors, introduced a second revision of the joint draft resolution (A/C.2/L.474/Rev.2) which contained the following additional changes:

(a) Operative paragraph 1 had been reworded as follows:

"*Expresses the hope* that this outflow of international assistance should be increased substantially so as to reach as soon as possible approximately 1 per cent of the combined national incomes of the economically advanced countries;"

(b) At the end of operative paragraph 2 the word "the" had been inserted before the words "less developed countries".

122. Netherlands proposed an amendment (A/C.2/L.540) that operative paragraph 4 of the draft resolution should be replaced by the following:

"4. *Requests* the Secretary-General to report annually on this question within the framework of his reporting pursuant to General Assembly resolution 1034 (XI) and Economic and Social Council resolution 780 (XXX)."

123. Italy proposed in an amendment (A/C.2/L.541) that in operative paragraph 3 the word "States" should be replaced by the words "Member States".

124. France proposed an amendment (A/C.2/L.543) whereby the words "as much as possible" in operative paragraph 2 should be replaced by the words "an appropriate part".

125. At the 710th meeting, India, on behalf of the sponsors, introduced a third revision of the draft resolution (A/C.2/L.474/Rev.3) which contained the following further changes:

(a) In the fifth preambular paragraph and operative paragraph 1 the word "outflow" had been replaced by the word "flow";

(b) In operative paragraph 2 the word "funds" had been replaced by the words "capital and technical assistance" and the words "as much as possible of these funds" by the words "an appropriate part thereof";

(c) Operative paragraphs 3 and 4 had been re-drafted to read as follows:

"3. *Recommends* that all countries, economically advanced as well as under-developed, take such measures as may be appropriate both to accelerate the flow of capital and technical assistance and to ensure its effective utilization;

"4. *Requests* the Secretary-General to report annually to the General Assembly through the Economic and Social Council on the progress made towards the objectives of this resolution, taking into account General Assembly resolution 1034 (XI) and Economic and Social Council resolution 780 (XXX)."

126. France and the Netherlands withdrew their amendments (A/C.2/L.540 and A/C.2/L.543).

127. Italy maintained its amendment (A/C.2/L.541) modified to provide that the word "States" in operative paragraph 3 would be replaced by the words "States Members of the United Nations and members of the specialized agencies".

128. The Committee then voted on the revised draft resolution (A/C.2/L.474/Rev.3) and the Italian amendment, as follows:

The amendment of Italy (A/C.2/L.541), as modified by the sponsor, was adopted by a roll-call vote (requested by Iraq) of 39 to 35, with 3 abstentions. The voting was as follows:

*In favour:* Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Congo (Brazzaville), Cyprus, Denmark, Dominican Republic, Ecuador, Federation of Malaya, Finland, France, Greece, Iceland, Iran, Ireland, Italy, Japan, Lebanon, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Peru, Philippines, Portugal, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

*Against:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon,

Chile, Czechoslovakia, Ethiopia, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Liberia, Libya, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Poland, Romania, Saudi Arabia, Sudan, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

*Abstaining:* Israel, Jordan, Somalia.

The words in operative paragraph 1 "so as to reach as soon as possible approximately 1 per cent of the combined national incomes of the economically advanced countries:", on which a separate roll-call vote had been requested by the United States, was adopted by 28 votes to 14, with 36 abstentions. The voting was as follows:

*In favour:* Afghanistan, Burma, Ceylon, Congo (Brazzaville), Ethiopia, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Niger, Nigeria, Pakistan, Saudi Arabia, Sudan, Sweden, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

*Against:* Australia, Belgium, China, Denmark, France, Italy, Japan, Luxembourg, Netherlands, Philippines, Spain, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Albania, Argentina, Austria, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Chile, Colombia, Cuba, Cyprus, Czechoslovakia, Dominican Republic, Ecuador, Federation of Malaya, Finland, Greece, Hungary, Iceland, Ireland, Israel, Mali, New Zealand, Norway, Peru, Poland, Portugal, Romania, Somalia, Thailand, Togo, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela.

The remainder of the draft resolution as amended, i.e., all of it except the words voted on under the subparagraph above, on which a separate roll-call vote had been requested by the United Kingdom, was adopted by 77 votes to 1, with no abstention. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, China, Colombia, Congo (Brazzaville), Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Lebanon, Liberia, Libya, Luxembourg, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yemen, Yugoslavia.

*Against:* Upper Volta.<sup>8</sup>

The joint draft resolution, as a whole and as amended, was adopted by a roll-call vote (requested by Lebanon) of 75 to none, with 4 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon,

Chile, China, Colombia, Congo (Brazzaville), Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jordan, Lebanon, Liberia, Libya, Luxembourg, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Venezuela, Yemen, Yugoslavia.

*Abstaining:* Japan, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

129. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution VIII as set forth in paragraph 185 of the present report.

## X

130. The draft resolution submitted by Pakistan (A/C.2/L.495) read as follows:

### "INTERNATIONAL CREDIT INSURANCE

*"The General Assembly,*

*"Recalling its resolution 1318 (XIII) of 12 December 1958,*

*"Taking note with appreciation of the Secretary-General's report on the promotion of the international flow of capital,*

*"Taking note also of resolution 762 (XXIX) of 21 April 1960 of the Economic and Social Council,*

*"Conscious that all feasible measures should be adopted at the earliest possible date to assist and expand the flow of private funds for the purpose of development of the economically less developed countries,*

*"Requests the Secretary-General to report on the feasibility of establishing national and international credit insurance institutions or arrangements along with other measures designed to promote the flow of private capital as envisaged in Economic and Social Council resolution 762 (XXIX) of 21 April 1960."*

131. Pakistan and Indonesia submitted a revised version (A/C.2/L.495/Rev.1) of this draft resolution before the Committee began to consider it. In this revised draft resolution, which was introduced by the representative of Pakistan at the 706th meeting, the operative paragraph read as follows:

*"Requests the Secretary-General to report on the feasibility of establishing national and international credit insurance institutions or arrangements along with other measures designed to promote the flow of private capital as envisaged in Economic and Social Council resolution 762 (XXIX) of 21 April 1960, keeping in view especially the difficulties encountered by economically less developed countries with regard to their balance of payments."*

132. The Committee considered this revised draft resolution at its 706th meeting.

133. Several oral suggestions were made during the course of the discussion.

134. The sponsors agreed that the operative paragraph should be revised to read as follows:

<sup>8</sup> The representative of Upper Volta announced subsequently that he had intended to vote in favour.

"Requests the Secretary-General, when reporting on measures designed to promote the flow of private capital as envisaged in Economic and Social Council resolution 762 (XXIX), to report also on the feasibility of extending the scope of activities of existing national credit institutions, of creating new institutions or arrangements of this kind, and of establishing international credit insurance organizations, keeping in view especially the difficulties encountered by the economically less developed countries with regard to their balance of payments."

135. The revised draft resolution (A/C.2/L.495/Rev.1), as modified by the sponsors, was adopted by 56 votes to none, with 9 abstentions.

136. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution IX as set forth in paragraph 185 of the present report.

## XI

137. The draft resolution submitted by Czechoslovakia (A/C.2/L.465) was introduced by the sponsor at the 678th meeting. The text of the draft resolution reads as follows:

"FINANCING OF ECONOMIC DEVELOPMENT THROUGH LONG-TERM LOANS EXTENDED AT LOW RATE OF INTEREST AND CHANGING THE STRUCTURE OF INTERNATIONAL DIVISION OF LABOUR IN FAVOUR OF THE LESS DEVELOPED COUNTRIES

*"The General Assembly,*

*"Bearing in mind* the requirement of financing the development of the less developed countries with a view to accelerating the industrialization of such countries,

*"Recognizing* the necessity of speeding up the establishment of industrial bases in the less developed countries by means of adopting purposeful measures in the field of financing basic capital investments under favourable conditions,

*"Realizing* that industrialization will make possible the diversification of the economies of the less developed countries which is becoming increasingly more urgent in view of the instability of their export profits and their limited financial resources,

*"Noting* that the establishment of modern industries in the less developed countries requires the inclusion of such industries in the international division of labour whereby the less developed countries would be given the opportunity of having greater participation in the world market and, especially, of gaining larger profits from exports of both their traditional products and products of the newly established industries, necessary for financing their economic development,

*"1. Recommends* all Member States:

*"(a)* To encourage, on bilateral or multilateral basis, the extending of medium- and long-term credits at low rate of interest as an advantageous form of providing assistance to the economic development of the less developed countries;

*"(b)* To direct co-operation at financing primarily the building of industries and other productive branches of economy in harmony with the needs and requirements of the development programmes of the less developed countries;

*"2. Calls upon* Governments to actively encourage such development of the structure of the international

division of labour as would be conducive to an increased share of the less developed countries in the world trade in industrial products;

*"3. Calls upon* regional economic commissions to study this important question."

138. The Committee considered this draft resolution at its 678th to 682nd meetings.

139. At the 679th meeting Afghanistan and the United Arab Republic proposed the following amendments (A/C.2/L.487/Rev.1):

(a) In the first preambular paragraph the word "industrialization" should be replaced by the words "economic development";

(b) In the third preambular paragraph the word "profits" should be replaced by the word "earnings";

(c) In the fourth preambular paragraph the words "the inclusion of such industries in the international division of labour whereby the less developed countries would be given" should be replaced by the words "the diversification and development of their economies in such a manner as to provide them with"; the word "profits" by the word "earnings"; the words "necessary for financing their economic development" should be deleted;

(d) Operative sub-paragraph 1 (a) should be replaced by the following:

"To encourage, on a bilateral and a multilateral basis, the extending of credits—and particularly long-term credits—on favourable terms, such terms to include the lowest possible interest rates, the longest possible periods for repayment of loans, and repayment in kind or in local currencies to the maximum extent feasible, as an advantageous form of providing assistance to the economic development of the less developed countries, and to encourage as well the influx of other forms of foreign capital and assistance which are important factors in the achievement of development in the less developed countries;"<sup>9</sup>

(e) In operative paragraph 1 (b) the word "productive" should be replaced by the words "economic and social";

(f) Operative paragraph 2 should be replaced by the following text:

"Calls upon Member Governments to encourage the development and the diversification of the economies of the less developed countries with a view to increasing their share in world trade including trade in industrial products;"

140. The United States of America proposed an amendment (A/C.2/L.486), adding the following fifth preambular paragraph:

"Taking into account the establishment of the International Development Association as a new international source of credits on advantageous terms,"

141. Canada submitted the following amendments (A/C.2/L.498):

<sup>9</sup> In A/C.2/L.487, this paragraph had read as follows:

"To encourage, on a bilateral and a multilateral basis, the extending primarily of long-term credits on favourable terms, including the lowest possible interest rates, the longest possible periods for repayment of loans, and repayment in kind or in local currencies to the maximum extent feasible, as an advantageous form of providing assistance to the economic development of the less developed countries, as well as the influx of other forms of foreign capital and assistance which are an important factor in the achievement of development in the less developed countries;"

(a) The title of the draft resolution would be replaced by the following: "Financing the economic development of the less developed countries and ensuring a share in world trade for their products";

(b) In the second preambular paragraph, the words "means of" would be deleted and the words "under favourable conditions" would be replaced by the words "in a manner acceptable to the receiving countries";

(c) In operative paragraph 3, the words "to continue" would be inserted after the word "commissions".

142. Canada also submitted a sub-amendment (A/C.2/L.499) to the fourth of the two-Power amendments (A/C.2/L.487/Rev.1) by which, in the proposed new operative sub-paragraph 1 (a) the words "as an advantageous form" would be replaced by the words "as well as grants, interest-free loans and other advantageous forms".

143. At the 680th meeting, New Zealand also submitted a sub-amendment (A/C.2/L.500) to the fourth of the two-Power amendments, by which the words "the extending of" in the proposed new operative sub-paragraph 1 (a) would be replaced by the words "the extension as appropriate of grants, or".

144. The United Kingdom submitted an amendment (A/C.2/L.501) proposing to insert the following new sub-paragraph between sub-paragraphs (a) and (b) of operative paragraph 1.

"(b) To avoid extensive reliance on the practices of restricting economic aid to particular sources of supply or to particular projects;"

145. Several oral suggestions were also made to the sponsors during the course of the discussion.

146. At the 681st meeting, the sponsor introduced a revised text of the draft resolution (A/C.2/L.465/Rev.1), worded as follows:

"FINANCING OF ECONOMIC DEVELOPMENT OF LESS DEVELOPED COUNTRIES THROUGH LONG-TERM LOANS AND IN OTHER ADVANTAGEOUS WAYS AND ENSURING AN INCREASING SHARE IN WORLD TRADE FOR THEIR PRODUCTS

*"The General Assembly,*

*"Bearing in mind the urgent necessity of further facilitating the financing of the development of the less developed countries with a view to accelerating the economic development of such countries,*

*"Recognizing the necessity of speeding up the establishment of industrial bases in the less developed countries by adopting appropriate measures in the field of financing basic capital investments in a manner acceptable to the receiving countries,*

*"Realizing that industrialization means the diversification of the economies of the less developed countries which is becoming increasingly more urgent in view of the instability of their export earnings and their limited financial resources,*

*"Noting that the establishment of modern industries in the less developed countries requires the diversification and development of their economies in such a manner as to provide them with an opportunity to participate to a greater extent in the world market and, especially, to realize larger earnings from exports of both their traditional products and products of their newly established industries,*

*"1. Recommends all Member States:*

*"(a) To encourage, on a bilateral and a multi-lateral basis, the extending of long-term loans and credits on favourable terms, including interest-free loans or loans at the lowest possible interest rates, the longest possible repayment periods and repayment in local currencies or in other beneficial forms, as well as the influx of other forms of foreign capital and assistance which are an important factor in that development,*

*"(b) To direct co-operation towards financing primarily the building of industrial, agricultural and social projects for productive purposes in harmony with the needs and requirements of the development programmes of the less developed countries;*

*"2. Calls upon Member Governments to encourage the development and the diversification of the economies of the less developed countries with a view to increasing their share in world production and world trade including trade in industrial products;*

*"3. Calls upon the Economic and Social Council and the Committee for Industrial Development and the regional economic commissions to study this important question."*

147. Afghanistan and the United Arab Republic withdrew their amendments (A/C.2/L.487/Rev.1) and Canada its sub-amendment (A/C.2/L.499), as well as its amendments (A/C.2/L.498) to the draft resolution. New Zealand maintained its sub-amendment (A/C.2/L.500) to the amendments by Afghanistan and the United Arab Republic (A/C.2/L.487/Rev.1) but, since the latter had been withdrawn, as an amendment to operative paragraph 1 (a) of the draft resolution.

148. The United Kingdom revised its amendment to the original text (A/C.2/L.501/Rev.1) by proposing the insertion of the following sub-paragraph between sub-paragraphs (a) and (b) of operative paragraph 1 of the revised draft:

"(b) To avoid extensive reliance on the practices of restricting economic aid to particular sources of supply or to particular projects; when aid involves the supply of goods or services, they should be made available at no more than competitive world prices;"

149. Subsequently the United Kingdom further revised (A/C.2/L.501/Rev.2) the proposed new sub-paragraph by replacing the word "practices" by "practice" and by deleting the words "or to particular projects".

150. Greece proposed the following amendments (A/C.2/L.505):

(a) In operative sub-paragraph 1 (b), the words "direct co-operation towards" would be replaced by the words "co-operate in the"; the words "primarily the building" would be deleted; and the words "and social projects" replaced by the words "social and other projects";

(b) In operative paragraph 3, the words "and the Committee for Industrial Development" would be deleted and the final phrase reworded to read "and its regional economic commissions to continue to study this important question".

151. Argentina proposed a sub-amendment (A/C.2/L.504) to the amendment of the United States of America (A/C.2/L.486) by which the words "the International Development Association as a" and the words "on advantageous terms" would be deleted and the word "source" would be replaced by the word "sources".

152. India proposed a sub-amendment (A/C.2/L.506) to re-insert in the revised amendment submitted by the United Kingdom (A/C.2/L.501/Rev.2) the words "or to particular projects" after the words "sources of supply".

153. Turkey proposed an amendment (A/C.2/L.503) to replace the second preambular paragraph by the following:

"*Recognizing* the need to accelerate the industrialization of the less developed countries through the provision of an increasing flow of public and private capital in a manner acceptable to the receiving countries."

154. Italy proposed an amendment (A/C.2/L.507) that the following words be inserted at the end of operative paragraph 3: "and requests the Committee for Industrial Development to make suggestions in this connexion". This amendment was later revised (A/C.2/L.507/Rev.1) so as to propose that operative paragraph 3 be replaced by the following:

"*Calls upon* the Economic and Social Council, its appropriate committees and its regional economic commissions to continue to study this important question."

155. At the 682nd meeting, Mexico proposed an amendment (A/C.2/L.508) that in the fourth preambular paragraph the words "of both their traditional products and products of their newly established industries" should be replaced by the words "of their products, including exports of products of their newly established industries".

156. A second revision of the draft resolution (A/C.2/L.465/Rev.2), incorporating some of the amendments and oral suggestions which had been made, was submitted by the sponsor at the 682nd meeting. It contained the following changes:

(a) The second preambular paragraph had been reworded as follows:

"*Recognizing* the need to accelerate the industrialization of the less developed countries through the provision of an increasing flow of capital in a manner acceptable to the receiving countries,";

(b) In operative sub-paragraph 1 (a) the words "including grants" had been inserted after the words "foreign capital and assistance," so that the sub-paragraph read as follows:

"(a) To encourage, on a bilateral and a multi-lateral basis, the extending of long-term loans and credits on favourable terms, including interest-free loans or loans at the lowest possible interest rates, the longest possible repayment periods and repayment in local currencies or in other beneficial forms, as well as the influx of other forms of foreign capital and assistance, including grants which are an important factor in that development;";

(c) A new sub-paragraph had been inserted between operative sub-paragraphs 1 (a) and 1 (b), as follows:

"(b) To avoid extensive reliance on the practices of restricting economic aid to particular sources of supply or to particular projects; when aid involves the supply of goods or services, they should be made available at no more than competitive world prices;";

(d) Operative sub-paragraph 1 (c) (formerly 1 (b)) had been reworded as follows:

"(c) To co-operate in financing primarily the building of industrial, agricultural and social projects for productive purposes in harmony with the needs and

requirements of the development programmes of the less developed countries;";

(e) Operative paragraph 3 had been reworded as follows:

"3. *Calls upon* the Economic and Social Council and its regional economic commissions to continue to study this important question, and request the Committee for Industrial Development to make suggestions on that matter."

157. The representative of the United States accepted the sub-amendment of Argentina (A/C.2/L.504) to his amendment (A/C.2/L.486), and the modified text was then accepted by Czechoslovakia and was inserted as the fifth preambular paragraph of the revised draft resolution.

158. The sponsor then made the following changes to the second revised text of the draft resolution (A/C.2/L.465/Rev.2):

(a) The third preambular paragraph was reworded as follows:

"*Realizing* that the diversification of the economies of the less developed countries implies industrialization and is becoming increasingly more urgent in view of the instability of their export earnings and their limited financial resources,";

(b) The opening phrase of the fourth preambular paragraph was reworded to read "*Believing* that diversification, the establishment of modern industries in the less developed countries and development of their economies must take place in such . . ." and the words "both their traditional products and" at the end of the paragraph were replaced by the words "their products, including exports of";

(c) In operative sub-paragraph 1 (a) the words "the extending of long-term loans and credits" were replaced by the words "the extension as appropriate of long-term loans, grants, or credits on favourable terms"; the words "including grants" near the end of the paragraph were deleted and the final clause "which are an important factor in that development" was replaced by "which are important factors in the economic and social progress of the less developed countries;"

(d) In operative sub-paragraph 1 (b) the words "to avoid extensive reliance" were replaced by the words "To avoid, except for balance-of-payments reasons, reliance"; the word "exclusively" was inserted after the words "sources of supply or"; and the words "no more than" were deleted;

(e) In operative sub-paragraph 1 (c), the opening phrase was reworded as follows: "To co-operate in financing industrial, agricultural, social and other projects . . .".

159. New Zealand, Turkey, Greece, Mexico and the United Kingdom withdrew their amendments (A/C.2/L.500, A/C.2/L.503, A/C.2/L.505, A/C.2/L.508 and A/C.2/L.501/Rev.2, respectively) and India withdrew its sub-amendment (A/C.2/L.506).

160. The Committee then voted on the revised draft resolution (A/C.2/L.465/Rev.2) as further modified by the sponsor, and the Italian amendment (A/C.2/L.507/Rev.1) as follows:

The amendment by Italy (A/C.2/L.507/Rev.1) was rejected by 25 votes to 24, with 23 abstentions.

The word "grants" in operative sub-paragraph 1 (a), on which a separate vote had been requested by Afghan-

istan, was adopted by 48 votes to none, with 20 abstentions.

Operative paragraph 1 (b), on which a separate vote had been requested by France, was adopted by 63 votes to none, with 7 abstentions.

The draft resolution as a whole, as modified, was adopted unanimously.

161. The Committee therefore recommends to the General Assembly the adoption of draft resolution X as set forth in paragraph 185 of the present report.

## XII

162. The draft resolution submitted by Brazil (A/C.2/L.494) read as follows:

### "DEVELOPMENT OF PETROLEUM INDUSTRY IN LESS DEVELOPED COUNTRIES

*"The General Assembly,*

*"Recalling General Assembly resolutions 1319 (XIII) and 1425 (XIV),*

*"Noting Economic and Social Council resolution 758 (XXIX) concerning technical assistance to less developed countries in the field of petroleum resources,*

*"Considering that the locating and exploiting of petroleum deposits, as well as the development of all phases of that industry—from refining to the marketing of petroleum and its by-products—are of vital importance to the development of less developed countries and the strengthening of their economies,*

*"Considering that the efficient operation of all stages of that industry would be enormously speeded up and facilitated under a system of broad international co-operation, which would provide less developed countries and their Governments with advice as well as economic aid through the United Nations and its specialized agencies,*

*"Bearing in mind that in some countries the policy of State monopoly under which two stages of the petroleum industry (those of prospecting and of extracting) are operated is an imperative requirement of a non-partisan, national approach to the petroleum problem,*

*"Recognizing that those same countries follow a policy of limited restrictions regarding the refining stage of the industry, and of unrestricted freedom in the stages of transportation and of marketing, not only of petroleum but of all its by-products as well,*

*"1. Requests the Secretary-General to give high priority to a study of the possibilities of international co-operation, through the United Nations and its specialized agencies, in the granting of long-term, low interest credits to the petroleum industry in less-developed countries, sufficient to enable them:*

*"(a) To purchase or manufacture all the equipment necessary to modernize and render more efficient the prospecting and extracting of petroleum;*

*"(b) To secure the services of international experts, for the training of national personnel at different levels;*

*"2. Requests the Executive Chairman of the Technical Assistance Board to provide all possible assistance, at the request of interested Governments, to the petroleum industry of less developed countries, bearing in mind the techniques required for petroleum development;*

*"3. Invites the Commission on International Commodity Trade to include petroleum and its by-products in the projections of future supply and demand of primary commodities;*

*"4. Requests that a report by the Secretary-General, on the possibilities mentioned above, in the first operative paragraph, be submitted to the Economic and Social Council at its thirty-second session and to the General Assembly at its sixteenth session."*

163. Brazil submitted a revised version of its draft resolution (A/C.2/L.494/Rev.1) before the Committee began to consider it. This revised draft resolution, which was introduced by the representative of Brazil at the 707th meeting, modified the last two paragraphs of the preamble to read as follows:

*"Bearing in mind the diversity of approach to petroleum development in less developed countries, including the reliance upon different forms of State monopoly, as well as upon private and joint enterprises,*

*"Recognizing that some less developed countries follow a policy of limited restrictions regarding the refining stage of the industry, and of unrestricted freedom in the stages of transportation and of marketing, not only of petroleum but of all its by-products as well,"*

164. The Committee considered this revised draft resolution at its 707th meeting. The sponsor deleted the sixth preambular paragraph. Various oral suggestions were made regarding the text of the draft resolution.

165. The Committee agreed that the text of the revised draft resolution, as modified by the sponsor, and the relevant summary record should be transmitted to the Economic and Social Council at its resumed thirtieth session with the recommendation that they should be forwarded to the Committee for Industrial Development for action.

## XIII

166. The draft resolution submitted by Cuba, Ethiopia, Ghana, Guinea, Liberia, Libya, Nigeria, Poland, Saudi Arabia, Somalia, Sudan, Togo, Tunisia and Yugoslavia (A/C.2/L.491), later joined as co-sponsors by Afghanistan, Brazil, Burma, Central African Republic, Chad, Czechoslovakia, Dahomey, Gabon, Greece, Haiti, Indonesia, Iraq, Ivory Coast, Lebanon, Mali, Morocco, Niger, Pakistan, Peru, Romania, Senegal, Ukrainian SSR, United Arab Republic, United Kingdom of Great Britain and Northern Ireland and Upper Volta (A/C.2/L.491/Add.1-6) was introduced by the representatives of Sudan and Poland at the 702nd meeting. The text of the draft resolution read as follows:

### "ACTIVITIES OF THE UNITED NATIONS IN THE FIELD OF INDUSTRIAL DEVELOPMENT

*"The General Assembly,*

*"Recalling General Assembly resolution 1431 (XIV) which recommended that the Economic and Social Council 'give consideration to the prompt establishment of a commission for industrial development',*

*"Noting Economic and Social Council resolution 751 (XXIX) on the establishment of the Committee for Industrial Development,*

"*Taking into consideration* the substantial interest of the economically less developed countries in developing their national industries as one of the main ways of diversifying their economic structures and developing their national economies generally,

"*Being convinced* that the activities of the United Nations in the field of industrial development should be widened and accelerated,

"1. *Recommends* that the Committee for Industrial Development should consider, in drawing up its programme of work, in addition to the functions set forth in Economic and Social Council resolution 751 (XXIX), the following functions:

"(a) To review the methods and techniques of programming general industrial development which have been evolved by different countries and regions and to contribute to international co-operation in this field;

"(b) To work out general conclusions on the basis of the experience of industrial development in all countries with a view to becoming a centre for the exchange of experience in the field of industrial development between countries of different regions and having differing economic systems;

"(c) To draw up long-term economic projections in the field of industrial development, taking into account social aspects of industrialization in the economically less developed countries as well as its influence on international economic relations and trade;

"(d) To follow developments in the field of the financing of new industries in the economically less developed countries and to make appropriate recommendations thereon;

"2. *Recommends* that the Economic and Social Council at its resumed thirtieth session enlarge the membership of the Committee for Industrial Development to thirty members in order to assure the just representation in that Committee, taking into account, in particular, the countries of Africa;

"3. *Appeals* to the Governments of the States members of the Committee for Industrial Development to designate their representatives to the Committee in the near future and in accordance with the principle set forth in paragraph 6 of Economic and Social Council resolution 751 (XXIX);

"4. *Decides*, beginning with the sixteenth session of the General Assembly, to include in the Assembly's agenda an item entitled 'Industrial Development and activities of the organs of the United Nations in the field of industrialization'."

167. The Committee considered this draft resolution at its 702nd and 703rd meetings.

168. At the 702nd meeting, Italy proposed an amendment (A/C.2/L.536) that operative paragraph 2 should be replaced by the following:

"2. *Recommends* that the Economic and Social Council at its resumed thirtieth session should consider the possibility of enlarging the membership of the Committee for Industrial Development in order to ensure more balanced representation of Member States in that Committee, in accordance with the principles enunciated in paragraph 4 of Economic and Social Council resolution 751 (XXIX) and taking account of the admission to the United Nations of the new independent countries of Africa".

169. At the 703rd meeting, the representative of Sudan, on behalf of the sponsors, modified the text of the draft resolution as follows:

(a) In the third preambular paragraph, the word "national" before the word "industries" was replaced by the word "own";

(b) In operative sub-paragraph 1 (b) the words "becoming a centre for" were replaced by the word "promoting";

(c) In operative sub-paragraph 1 (c), the words "draw up" were replaced by the words "encourage the preparation of".

170. As regards operative paragraph 2, the sponsors agreed to replace the words "assure the just representation in that Committee" by the words "ensure a more balanced representation of Member States in that Committee, in accordance with the principles enunciated in paragraph 4 of the Committee's terms of reference as set forth in Economic and Social Council resolution 751 (XXIX) and".

171. Italy then withdrew its amendment (A/C.2/L.536).

172. The sponsors also accepted an oral suggestion to replace the words "addition to" in the introductory part of operative paragraph 1 by the words "conjunction with".

173. The draft resolution, as modified by the sponsors, was adopted unanimously.

174. The Committee therefore recommends to the General Assembly the adoption of draft resolution XI as set forth in paragraph 185 of the present report.

#### XIV

175. The draft resolution submitted by Bolivia, Cuba, Ghana, Iraq, United Arab Republic and Yugoslavia (A/C.2/L.490) was introduced by the representative of Cuba at the 696th meeting. The text of the joint draft resolution read as follows:

##### "LAND REFORM

"*The General Assembly,*

"*Bearing in mind* that land reform is one of the main prerequisites for the general improvement of agricultural productivity; that the needs foreseen and the difficulties encountered still constitute a serious obstacle to the economic development of many underdeveloped countries\* and that the necessary remedies have not been applied,

"*Convinced* that the reports submitted by the Secretary-General for the consideration of the Economic and Social Council and the General Assembly, in accordance with Assembly resolutions 401 (V) of 20 November 1950, 524 (VI) of 12 January 1952, 625 A (VII) of 21 December 1952, 826 (IX) of 11 December 1954 and 1426 (XIV) of 5 December 1959, and Council resolutions 370 (XIII) of 7 September 1951, 512 C (XVII) of 30 April 1954, 649 B (XXIII) of 2 May 1957 and 712 (XXVII) of 17 April 1959, by no means indicate that the subject of land reform has been exhausted either from the standpoint of economic development or from that of the maximum utilization of resources,

"1. *Recommends* that the Secretary-General should continue to study the progress achieved by countries which have carried out or are carrying out programmes for the transformation of their agrarian

structure and should submit for the consideration of the Economic and Social Council a comprehensive analytical survey every three years, the first of which would be presented in 1962, devoting particular attention to a detailed and critical examination of the basic problems of land reform in the under-developed countries;

"2. *Further recommends* that the Secretary-General, prior to his report of 1962, should inform the General Assembly at its sixteenth session of the progress achieved in implementation of resolution 1426 (XIV);

"3. *Invites* the Secretary-General, in complying with the terms of paragraph 1 and after prior consultation with the Governments concerned, to consider the possibility of:

"(a) Undertaking studies with a view to ascertaining the demographic, legal, social and economic factors which impede structural changes in the system of land tenure in those countries that are carrying out land reform programmes and consequently impede the application of the recommendations made in Economic and Social Council resolution 370 (XIII);

"(b) Carrying out country studies in order to determine how tax, financial and budgetary factors, as well as the present utilization of land, can impede or expedite the execution of national land reform programmes in the under-developed countries;

"(c) Evaluating the role of co-operatives and credit agencies in programmes for the transformation of the agrarian structure;

"4. *Requests* the Secretary-General to ensure that the question of land reform, in view of its importance for the economic development of the under-developed countries, should continue to be considered by the Economic and Social Council in collaboration with FAO and the specialized agencies concerned;

"5. *Renews the hope*, expressed in its resolution 1426 (XIV), that existing United Nations organs for technical and financial assistance and any new organs which may be set up by the United Nations give as much assistance as possible and the necessary high priority to projects connected with the execution of agrarian reform programmes.

"\* United Nations publication, Sales No.: 51.II.B.3."

176. The Committee considered this draft resolution at its 696th, 697th and 698th meetings.

177. At the 696th meeting, the representative of Cuba, on behalf of the sponsors, introduced a revised version of the draft resolution (A/C.2/L.490/Rev.1), reading as follows:

"*The General Assembly,*

"*Bearing in mind* that land reform is frequently one of the main prerequisites for the general improvement of agricultural productivity, that the needs foreseen and the difficulties encountered still constitute a serious obstacle to the economic development of many under-developed countries\* and that the necessary remedies to this end have not been set forth,

"*Convinced* that the reports submitted by the Secretary-General for the consideration of the Economic and Social Council and the General Assembly, in accordance with Assembly resolutions 401 (V) of 20 November 1950, 524 (VI) of 12 January 1952, 625 A (VII) of 21 December 1952, and 826 (IX) of 11 December 1954, and Council resolutions 370

(XIII) of 7 September 1951, 512 C (XVII) of 30 April 1954, and 649 B (XXIII) of 2 May 1957 have provided valuable information on land reform but by no means indicate that the subject of land reform has been exhausted either from the standpoint of economic development and social well-being, or that of the maximum utilization of resources,

"1. *Recommends* that the Secretary-General, in co-operation with the Director-General of the Food and Agriculture Organization of the United Nations, continue to study the progress achieved by countries which have carried out or are carrying out programmes for the transformation of their agrarian structure at their request and should submit for the consideration of the Economic and Social Council a comprehensive analytical survey every three years, the first of which would be presented in 1962, in accordance with Assembly resolution 1426 (XIV) of 5 December 1959 and Council resolution 712 (XXVII) of 17 April 1959, devoting particular attention to a detailed and critical examination of the basic problems of land reform in under-developed countries;

"2. *Further recommends* that the Secretary-General, prior to his report of 1962, should inform the General Assembly at its sixteenth session of the progress achieved in implementation of Assembly resolution 1426 (XIV) and Council resolution 712 (XXVII);

"3. *Invites* the Secretary-General, in complying with the terms of paragraph 1 and after appropriate consultation with, and at the request of, the Governments concerned in the carrying out of land reform programmes, as well as with the Director-General of FAO and the Executive Heads of interested specialized agencies, to consider the possibility of:

"(a) Undertaking studies with a view to ascertaining the demographic, legal, social, economic or other principal factors which may impede or expedite structural changes in the system of land tenure and consequently influence the application of the recommendations made in Economic and Social Council resolution 370 (XIII);

"(b) Carrying out country studies in order to determine how tax, financial and budgetary factors, as well as the present utilization of land, can impede or expedite the execution of national land reform programmes in the under-developed countries;

"(c) Evaluating the role of co-operatives and credit agencies in facilitating programmes for the transformation of the agrarian structure;

"4. *Deems it convenient* that the question of land reform, in view of its importance for the economic development of the under-developed countries, continues to be considered by the Economic and Social Council in collaboration with FAO and the specialized agencies concerned;

"5. *Renews the hope*, expressed in its resolution 1426 (XIV), that existing United Nations organs for technical and financial assistance and any new organs which may be set up by the United Nations give as much assistance as possible and the necessary high priority to projects connected with the execution of agrarian reform programmes.

"\* United Nations publication, Sales No.: 51.II.B.3."

178. During this meeting and the 697th several speakers suggested changes in the text of the joint draft resolution.

179. The representative of Cuba, on behalf of the sponsors, agreed to accept the following further changes:

(a) The insertion of the following words as a third preambular paragraph:

*"Recognizing the usefulness of studies concerning the obstacles which impede or render difficult the implementation of land reform,";*

(b) The insertion in operative paragraph 1 of the words "and the executive heads of the other specialized agencies concerned" after the words "in co-operation with the Director-General of the Food and Agriculture Organization of the United Nations"; and the addition of the words "as mentioned in paragraph 55 of the 1959 report of the Secretary-General (E/3208)" at the end of that paragraph;

(c) The replacement in the introductory part of operative paragraph 3 of the words "paragraph 1" by the words "the present resolution".

180. The six-Power draft revised resolution (A/C.2/L.490/Rev.1), as modified by the sponsors, was adopted unanimously.

181. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution XII as set forth in paragraph 185 of the present report.

## XV

182. The Committee agreed at its 645th meeting to consider the question of programme appraisals in the economic, social and human rights fields (see para. 3 above) during the course of its general discussion on items 12, 29 and 74. Several delegations also made statements related to this question during the Committee's consideration of the twenty-four-Power draft resolution on "Decentralization of the United Nations economic and social activities and strengthening of the regional economic commissions" (see section V above).

183. Since this question had been allocated to the Fifth Committee for action—it was considered as agenda item 54—the Chairman of the Second Committee, with the consent of the Committee, addressed two letters, dated 22 November and 5 December 1960, to the President of the General Assembly for the information of the Fifth Committee (A/C.5/847 and Add.1). These communications indicated briefly the way in which the Second Committee had dealt with this question and contained relevant extracts from the statements made by representatives.<sup>10</sup>

184. The Committee also agreed at its 645th meeting to consider the question of consultation with the specialized agencies (see para. 3 above) during the general discussion on items 12, 29 and 74. Since this question had been allocated to the Sixth Committee for action, the Chairman of the Second Committee, with the consent of the Committee, addressed a letter dated 18 November 1960 to the President of the General Assem-

bly for the information of the Sixth Committee (A/C.6/L.475),<sup>11</sup> in which he informed him that no comments had been registered on this question during the Committee's general discussion.

## Recommendations of the Second Committee

185. The Second Committee therefore recommends to the General Assembly the adoption of draft resolutions I to XII below:

### I

#### CONCERTED ACTION FOR ECONOMIC DEVELOPMENT OF ECONOMICALLY LESS DEVELOPED COUNTRIES

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

### II

#### ECONOMIC AND SOCIAL CONSEQUENCES OF DISARMAMENT

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

### III

#### PROJECTIONS

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

### IV

#### DECENTRALIZATION OF THE UNITED NATIONS ECONOMIC AND SOCIAL ACTIVITIES AND STRENGTHENING OF THE REGIONAL ECONOMIC COMMISSIONS

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

### V

#### STRENGTHENING AND DEVELOPMENT OF THE WORLD MARKET AND IMPROVEMENT OF THE TRADE CONDITIONS OF THE ECONOMICALLY LESS DEVELOPED COUNTRIES

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

### VI

#### IMPROVEMENT OF THE TERMS OF TRADE BETWEEN THE INDUSTRIAL AND THE UNDER-DEVELOPED COUNTRIES

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

### VII

#### ESTABLISHMENT OF A UNITED NATIONS CAPITAL DEVELOPMENT FUND

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

<sup>10</sup> During the general discussion, comments on the question had been made by the representatives of the United States of America (649th meeting), Ghana (651st meeting), Romania (651st meeting), New Zealand (653rd meeting), Sweden (654th meeting), the Netherlands (654th meeting), France (662nd meeting) and Ireland (664th meeting). Also concerned with the question were the statement made by the representative of Ghana at the 687th meeting in submitting the draft resolution (A/C.2/L.470) reproduced in section V above and the amendment to that draft resolution made orally by the representative of France at the same meeting and accepted in amended form at the 688th meeting.

<sup>11</sup> See the fascicle of annexes for agenda item 12.

## VIII

## ACCELERATED FLOW OF CAPITAL AND TECHNICAL ASSISTANCE TO THE DEVELOPING COUNTRIES

*The General Assembly,*

*Bearing in mind* the responsibilities laid upon Member States by Article 55 of the Charter of the United Nations to promote higher standards of living, full employment and conditions of economic and social progress and development, and by Article 56 to take joint action in co-operation with the United Nations for the achievement of these purposes,

*Bearing also in mind* the widening gap in standards of living between the economically advanced and the less developed countries, and the necessity to deal with it through international co-operative action,

*Recognizing* the urgency and importance of accelerating the economic and social development of the under-developed countries for the maintenance of world peace and security and the promotion of better understanding among nations,

*Recognizing further* that while the primary responsibility for their economic development, whether through the creation of appropriate social and economic conditions or the generation of internal capital, is and must remain that of the economically under-developed countries themselves, this development would be greatly aided by improving the nature and increasing the volume of the present flow of capital and the scope of technical assistance from the economically advanced countries to the under-developed countries,

*Appreciating* the steady contribution already made over the years to the promotion of development by the regular flow of international assistance,

*Believing* however that this present flow is inadequate,

1. *Expresses* the hope that the flow of international assistance should be increased substantially so as to reach as soon as possible approximately 1 per cent of the combined national incomes of the economically advanced countries;

2. *Urges* that, while the flow of capital and technical assistance to the under-developed countries could be through public or private channels whether bilaterally, multilaterally, or through international organizations, an appropriate part thereof should be channelled through

the United Nations and its specialized agencies, and in such a manner as not to bear heavily on the future balance of payments of the less developed countries;

3. *Recommends* that all States Members of the United Nations and of the specialized agencies, economically advanced as well as under-developed, take such measures as may be appropriate both to accelerate the flow of capital and technical assistance and to ensure its effective utilization;

4. *Requests* the Secretary-General to report annually to the General Assembly through the Economic and Social Council on the progress made towards the objectives of the present resolution, taking into account Assembly resolution 1034 (XI) of 26 February 1957 and Council resolution 780 (XXX) of 3 August 1960.

## IX

## INTERNATIONAL CREDIT INSURANCE

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## X

## FINANCING OF ECONOMIC DEVELOPMENT OF LESS DEVELOPED COUNTRIES THROUGH LONG-TERM LOANS AND IN OTHER ADVANTAGEOUS WAYS, AND ENSURING AN INCREASING SHARE IN WORLD TRADE FOR THEIR PRODUCTS

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## XI

## ACTIVITIES OF THE UNITED NATIONS IN THE FIELD OF INDUSTRIAL DEVELOPMENT

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## XII

## LAND REFORM

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENTS A/L.330 AND ADD.1<sup>12</sup>

**Burma, Chile, Colombia, Denmark, Federation of Malaya, India, Japan, Nigeria, Sudan, Thailand, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America: amendment to draft resolution VIII submitted by the Second Committee (A/4648, para. 185)**

[Original text: English]  
[14 December 1960]

In operative paragraph 1 of draft resolution VIII submitted by the Second Committee (see A/4648, para. 185, above), add the words "and capital" after the words "international assistance".

<sup>12</sup> The purpose of document A/L.330/Add.1, dated 15 December 1960, was to add Burma, India, Nigeria, Sudan and the United Arab Republic to the list of sponsors of the amendment.

## ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 908th plenary meeting, on 27 October 1960, the General Assembly adopted the draft resolution submitted by the Second Committee (A/4551, para. 18). For the final text, see resolution 1496 (XV), below.

At its 948th plenary meeting, on 15 December 1960, the General Assembly adopted draft resolutions I, II, III, IV, V, VI, VII, IX, X, XI and XII submitted by the Second Committee (A/4648, para. 185). For the final texts, see resolutions 1515 (XV), 1516 (XV), 1517 (XV), 1518 (XV), 1519 (XV), 1520 (XV), 1521 (XV), 1523 (XV), 1524 (XV), 1525 (XV) and 1526 (XV), respectively, below.

At the same meeting, the General Assembly adopted draft resolution VIII submitted by the Second Committee (A/4648, para. 185) with the amendment submitted by thirteen Powers (A/L.330 and Add.1). For the final text, see resolution 1522 (XV), below.

## Resolutions adopted by the General Assembly

1496 (XV). PROVISION OF FOOD SURPLUSES TO FOOD-DEFICIENT PEOPLES THROUGH THE UNITED NATIONS SYSTEM

*The General Assembly,*

*Considering* that the peoples in many of the less developed countries suffer from serious shortages of food,

*Noting with approval* that the Food and Agriculture Organization of the United Nations, in co-operation with the United Nations, appropriate specialized agencies, Governments of member States and non-governmental organizations, has launched a Freedom from Hunger Campaign designed as a concerted attack on the problem of providing adequate food for food-deficient peoples.

*Recalling* General Assembly resolutions 827 (IX) of 14 December 1954 and 1025 (XI) of 20 February 1957 and Economic and Social Council resolutions 621 (XXII) of 6 August 1956 and 685 (XXVI) of 18 July 1958 concerning international co-operation in the establishment of national food reserves,

*Bearing in mind* the existing opportunities for consultation and exchange of information provided by the Food and Agriculture Organization through its Consultative Sub-Committee on Surplus Disposal,

*Recognizing* that the principles of surplus disposal<sup>13</sup> and guiding lines<sup>14</sup> of the Food and Agriculture Organization are a valuable instrument for guidance to Governments in transactions, programmes, policies, and consultations relating to the disposal and utilization of agricultural surpluses,

*Recognizing further* that the ultimate solution to the problem of hunger lies in an effective acceleration of economic development allowing the under-developed countries to increase their food production and enabling them to purchase more food through normal channels of international trade,

*Convinced* of the impelling need to solve the problem of hunger and malnutrition among many peoples and of the role which the United Nations system can play in actions designed to help solve this critical problem,

*Further convinced* that assistance to food-deficient peoples will help raise productivity and thus contribute to the improvement of their standard of living,

1. *Endorses* the Freedom from Hunger Campaign launched by the Food and Agriculture Organization of

the United Nations and urges all States Members of the United Nations and members of the specialized agencies to support this campaign in every appropriate way;

2. *Appeals* to States Members of the United Nations and members of the specialized agencies to take suitable measures to relieve the suffering of food-deficient people in other nations and assist them in their economic development and in their efforts towards a better life;

3. *Expresses the belief* that international assistance in the establishment of national food reserves in food-deficient countries is one effective transitional means of assisting accelerated economic development in the less developed countries;

4. *Invites* the Food and Agriculture Organization, after consulting Governments of Member States, the Secretary-General and appropriate specialized agencies, to establish without delay procedures—in particular for consultation and the dissemination of information—by which, with the assistance of the United Nations system, the largest practicable quantities of surplus food may be made available on mutually agreeable terms as a transitional measure against hunger, such procedures to be compatible with desirable agricultural development as a contribution to economic development in the less developed countries and without prejudice to bilateral arrangements for this purpose and compatible with the principles of the Food and Agriculture Organization;

5. *Further invites* the Food and Agriculture Organization, in consultation with Governments of member States, the Secretary-General, appropriate specialized agencies and other international bodies (such as the International Wheat Council, the Wheat Utilization Committee, etc.), to undertake a study of the feasibility and acceptability of additional arrangements, including multilateral arrangements under the auspices of the Food and Agriculture Organization, having as their objective the mobilization of available surplus foodstuffs and their distribution in areas of greatest need, particularly in the economically less developed countries;

6. *Requests* the Director-General of the Food and Agriculture Organization to report on action taken to the Economic and Social Council at its thirty-second session;

7. *Requests* the Secretary-General, in consultation with the Director-General of the Food and Agriculture Organization and after such other consultations as he may deem necessary, to report to the Economic and Social Council at its thirty-second session on the role which the United Nations and the appropriate specialized agencies could play in order to facilitate the best

<sup>13</sup> Food and Agriculture Organization of the United Nations, Commodity Policy Studies, No. 10, *Functions of a World Food Reserve—Scope and Limitations* (Rome, 1956), appendix III.

<sup>14</sup> *Ibid.*, para. 300.

possible use of food surpluses for the economic development of the less developed countries;

8. *Recommends* that the Secretary-General, in preparing, in consultation with the Director-General of the Food and Agricultural Organization, the provisional programme for the joint session of the Commission on International Commodity Trade and the Committee on Commodity Problems of the Food and Agriculture Organization which will examine a report on the prospects of the production of, and demand for, primary commodities, include the question of the production of, and demand for, food in relation to the problem of hunger;

9. *Stresses* that any action taken or contemplated under the present resolution proceed in accordance with the principles of surplus disposal and guiding lines of the Food and Agriculture Organization and, specifically, with adequate safeguards and appropriate measures against the dumping of agricultural surpluses on the international markets and against adverse effects upon the economic and financial position of those countries which depend for their foreign exchange earnings primarily on the export of food commodities, and in the recognition that the avoidance of damage to normal trading in foodstuffs will best be assured by multilateral trading practices.

*908th plenary meeting,  
27 October 1960.*

#### 1515 (XV). CONCERTED ACTION FOR ECONOMIC DEVELOPMENT OF ECONOMICALLY LESS DEVELOPED COUNTRIES

*The General Assembly,*

*Believing* that the principles laid down in the Charter of the United Nations with regard to international economic and social co-operation should be reaffirmed now when so many States have recently become Members of the United Nations,

*Bearing in mind* the solemn undertaking embodied in the Charter to employ international machinery for the promotion of the economic and social advancement of all peoples,

*Recalling also* that one of the principal objectives of the United Nations is to promote higher standards of living and that Member States have pledged themselves to take joint and separate action to achieve this purpose,

1. *Reiterates* that a prime duty of the United Nations is to accelerate the economic and social advancement of the less developed countries of the world, thus contributing to safeguarding their independence and helping to close the gap in standards of living between the more developed and the less developed countries;

2. *Recognizes* that this social and economic advancement requires the development and diversification of economic activity, that is, the improvement of conditions for the marketing and production of foodstuffs and the industrialization of those economies which are largely dependent on subsistence agriculture or on the export of a small range of primary commodities;

3. *Believes* that in the present circumstances the achievement of these ends demands, *inter alia*:

(a) The maintenance of a high and expanding level of economic activity and of generally beneficial multilateral and bilateral trade free from artificial restrictions, in order to enable the less developed countries and those dependent on the export of a small range of primary commodities to sell more of their products at

stable and remunerative prices in expanding markets, and so increasingly to finance their own economic development from their earnings of foreign exchange;

(b) The increasing provision of public and private capital on acceptable terms from the more developed to the less developed countries, notably through international organizations and through freely negotiated multilateral or bilateral arrangements;

(c) The expansion of technical co-operation between countries at all stages of development, with the objective of aiding the people of under-developed countries to increase their knowledge of, and capacity to apply, modern techniques;

(d) Scientific and cultural co-operation and the encouragement of research;

(e) Proper regard for the human and social aspects of economic development;

4. *Recommends*, with these objects in view, that:

(a) Member States and the international organs concerned should continue as a matter of urgency to seek and apply ways of eliminating both excessive fluctuations in primary commodity trade and restrictive practices or measures which have unfavourable repercussions on the trade in basic products of the less developed countries and those dependent on the export of a small range of primary products, and to expand trade in these products;

(b) In particular, the Economic and Social Council should give close and serious attention to the problems of commodity trade and to the recommendations of the Commission on International Commodity Trade designed to deal with them, including those such as compensatory financing relating to off-setting the effects of large fluctuations;

(c) Technical training, education and pre-investment assistance, whether undertaken by international organizations or by individual Governments, should be regarded as an important factor in the economic development of under-developed countries and, in particular, the fullest possible support should be given to the Expanded Programme of Technical Assistance, to the Special Fund and to the other voluntary programmes of the United Nations which are concerned with these ends;

(d) Technical assistance and the supply of development capital, which are increasing, should be increased further—whether provided through existing and future international organizations and institutions or otherwise—should be of a kind and in a form in accordance with the wishes of the recipients and should involve no unacceptable conditions for them, political, economic, military or other;

(e) Regional economic groupings should be designed to offer the opportunities of an expanding market to all trading nations, taking into account the interests of third parties;

5. *Recommends further* that the sovereign right of every State to dispose of its wealth and its natural resources should be respected in conformity with the rights and duties of States under international law;

6. *Requests* the Economic and Social Council and the Secretary-General, the specialized agencies, the International Atomic Energy Agency and the Governments of States members of these organizations to take note of the present resolution and asks them to play

their appropriate part effectively in carrying out its objectives and principles for the general and common benefit of the human race.

*948th plenary meeting,  
15 December 1960.*

#### 1516 (XV). ECONOMIC AND SOCIAL CONSEQUENCES OF DISARMAMENT

*The General Assembly,*

*Recalling* its resolution 1378 (XIV) of 20 November 1959,

*Conscious* that the impact of disarmament is likely to set in motion great changes in the domestic economies of States and in international economic relations, as a result of the progressive diversion of human and material resources from military to peaceful purposes,

*Recognizing* that effective action at the national and international levels will need to be taken to make use of material and human resources becoming available as a consequence of disarmament, in order to promote social progress and better standards of living in the world,

*Bearing in mind* the importance of comprehensive and systematic studies in this field to enable Member States, especially those which are under-developed, to make the necessary economic and social adjustments in the event of disarmament,

*Convinced* that it is both timely and desirable to undertake such studies,

1. *Requests* the Secretary-General to examine:

(a) The national economic and social consequences of disarmament in countries with different economic systems and at different stages of economic development, including, in particular, the problems of replacing military expenditures with alternative private and public civil expenditures so as to maintain effective demand and to absorb the human and material resources released from military uses;

(b) The possible development of structural imbalances in national economies as a result of the cessation of capital investment in armaments industries, and the adoption of possible corrective measures to prevent such imbalances, including expanded capital assistance to the under-developed countries;

(c) The impact of disarmament on international economic relations, including its effect on world trade and especially on the trade of under-developed countries;

(d) The utilization of resources released by disarmament for the purpose of economic and social development, in particular of the under-developed countries;

2. *Recommends* that the Secretary-General should conduct the proposed examination with the assistance of expert consultants to be appointed by him with due regard to their qualifications and to the need of geographical representation and intimate knowledge of countries with different economic systems and at different stages of economic development;

3. *Appeals* to Governments of Member States to give full co-operation to the Secretary-General in the fulfilment of the task entrusted to him;

4. *Requests* the Secretary-General to submit a preliminary report on the results of the examination to the Economic and Social Council at its thirty-third session;

5. *Requests* the Economic and Social Council to transmit the report with its views to the General Assembly at its seventeenth session.

*948th plenary meeting,  
15 December 1960.*

#### 1517 (XV). PROJECTIONS

*The General Assembly,*

*Considering* the importance of projections of certain major international economic trends, particularly in the field of primary products,

*Aware* of the special importance of such projections to the less developed countries, including those which have recently achieved their political independence, for the formulation of their long-term policies and plans for economic development, including the use of their natural resources,

*Recalling* its resolution 1428 (XIV) of 5 December 1959 on world economic development,

*Taking note* of the activities of the Economic and Social Council in this field, and in particular of its resolution 777 (XXX) of 3 August 1960 concerning the solution of problems relating to methodology, comparability and collation of relevant data,

*Believing* that the need to accelerate the economic development of the under-developed countries calls for an intensification of all activities conducted in this field, in order to make available even tentative data on the medium- and long-term prospects for the production and exports of those countries in the light of the longer-term trends prevailing in the world economy,

1. *Endorses* Economic and Social Council resolution 777 (XXX);

2. *Requests* the Economic and Social Council to intensify its work in the field of economic and social projections;

3. *Recommends* that the regional economic commissions continue and intensify their activities in this field;

4. *Welcomes* the decision of the Commission on International Commodity Trade to continue the consideration of this question at its next session and invites it to make such recommendations as it deems appropriate;

5. *Requests* the Secretary-General, bearing in mind the recommendations of the Commission on International Commodity Trade, to prepare in consultation with the Director-General of the Food and Agricultural Organization of the United Nations and in co-operation with the executive secretaries of the regional economic commissions, a study containing tentative medium- and long-term projections of the prospective international demand for, and supply of, selected major primary commodities at present exported by the under-developed countries;

6. *Further requests* the Secretary-General to submit this study, together with a detailed note on the methodology used and the problems encountered, to the Economic and Social Council for consideration at its thirty-fourth session and for transmission, with its observations, to the General Assembly at its seventeenth session.

*948th plenary meeting,  
15 December 1960.*

1518 (XV). DECENTRALIZATION OF THE UNITED NATIONS ECONOMIC AND SOCIAL ACTIVITIES AND STRENGTHENING OF THE REGIONAL ECONOMIC COMMISSIONS

*The General Assembly,*

*Expressing its satisfaction* that the Economic and Social Council recognized the value of regional co-operation in the establishment of the United Nations system of regional economic commissions to which the Economic Commission for Africa was added in 1958,

*Welcoming* Economic and Social Council resolution 795 (XXX) of 3 August 1960 on co-ordination in the field, and being aware of the continuing need for regional co-ordination which requires liaison and co-operation between the representatives of the Technical Assistance Board and the specialized agencies and the executive secretaries of the regional economic commissions,

*Recognizing* that the regional economic commissions are not limited under their terms of reference to studies and deliberations and are actually performing various operational functions through their secretariats,

*Reaffirming* its resolution 1158 (XII) of 26 November 1957 on the activities of the regional economic commissions,

*Bearing in mind* particularly resolutions 11 (II) of 5 February 1960 on multilateral economic and financial assistance to Africa and 19 (II) of 4 February 1960 on concerted action adopted by the Economic Commission for Africa, resolution 31 (XVI) of 18 March 1960 on regional economic co-operation for development of trade and industries adopted by the Economic Commission for Asia and the Far East, resolutions 153 (VIII) of 22 May 1959 on the joint ECLA/TAO economic development training programme, 155 (VIII) of 22 May 1959 on economic development advisory groups, 172 (AC.45) of 28 March 1960 on the Latin American common market and 173 (AC.45) of 28 March 1960 on Central American economic integration adopted by the Economic Commission for Latin America, and resolution 4 (XV) of 5 May 1960 on assistance to the less developed countries adopted by the Economic Commission for Europe,

1. *Notes with satisfaction* the conclusion of the Committee on Programme Appraisal of the Economic and Social Council,<sup>15</sup> as mentioned in Council resolution 793 (XXX) of 3 August 1960, that the regional economic commissions are playing an increasingly important role in the preparation and carrying out of programmes and activities in the economic and social fields, both as focal centres for the promotion of economic and social development and as meeting grounds for experts who contribute to this development in their respective countries in the several regions;

2. *Invites* all States Members of the United Nations to advance further their active support of the United Nations regional economic commissions and all States members of the respective commissions to take further advantage of the facilities and services which could be made available by or through their secretariats;

<sup>15</sup> *Five-year Perspective, 1960-1964. Consolidated report on the appraisals of the scope, trend and costs of the programmes of the United Nations, ILO, FAO, UNESCO, WHO, WMO and IAEA in the economic, social and human rights fields* (United Nations publication, Sales No.: 60.IV.14), para. 318.

3. *Urges* the regional economic commissions, with due regard to the relevant resolutions of the Economic and Social Council, to strengthen co-operation among themselves and among their executive secretaries, including the exchange of the results of work and experiences gained on problems of common interest;

4. *Requests* the Secretary-General to make every effort to strengthen the secretariats of the regional economic commissions, and in particular to promote and assist, in continuing co-operation with the independent African States, the effective functioning of the secretariat of the Economic Commission for Africa;

5. *Requests* the Secretary-General to consult the regional economic commissions at their next annual sessions and the specialized agencies, and to report to the Economic and Social Council at its thirty-second session and to the General Assembly at its sixteenth session on the steps taken in implementation of Council resolution 793 (XXX) regarding the decentralization of activities and operations and the increased utilization of the services of the regional economic commissions.

*948th plenary meeting,  
15 December 1960.*

1519 (XV). STRENGTHENING AND DEVELOPMENT OF THE WORLD MARKET AND IMPROVEMENT OF THE TRADE CONDITIONS OF THE ECONOMICALLY LESS DEVELOPED COUNTRIES

*The General Assembly,*

*Recalling* its resolution 1421 (XIV) of 5 December 1959 on strengthening and development of the world market and improvement of the trade conditions of the economically less developed countries,

*Recognizing* that expansion of international trade, and in particular of trade between countries of different social and economic systems as well as of trade between countries at markedly different stages of economic development, is of real importance for the progress and welfare of all peoples, contributes to the strengthening of peace and constitutes one of the most efficient means of accelerating the increase in the rate of development of the less developed countries, many of which have recently become Members of the United Nations,

*Bearing in mind* the real importance of maintaining and developing generally beneficial trade free from artificial restrictions,

*Considering* the endeavours made in this direction by the different United Nations bodies, and in particular by the Commission on International Commodity Trade and, as far as trade between countries of different economic systems is concerned, by the Economic Commission for Europe,

*Being aware* that regional trade co-operation which does not prejudice the interests of other countries or the interests of world trade at large represents an important step towards world economic and trade co-operation,

*Taking note* of Economic and Social Council resolution 778 (XXX) of 3 August 1960 and of Economic Commission for Europe resolution 6 (XV) of 5 May 1960,

*Reiterating* the high priority of this field of work of the United Nations in its activities related to the world economy,

*Requests the Economic and Social Council:*

1. To recommend to the Economic Commission for Europe that it ensure the preparation of the studies envisaged in its resolution 6 (XV) in time for the thirty-second session of the Council;

2. To recommend to the Commission on International Commodity Trade and to the regional economic commissions that they continue to study the causes of, and the obstacles which have resulted in, substantial fluctuations, whether in volume or prices, of exports of the economically less developed countries, as well as the ways and means of improving the existing situation, and present their views on these matters to the thirty-second session of the Economic and Social Council, which should take into account in its studies and recommendations the problems of all Member States, including those which at present do not belong to any regional economic commission;

3. To recommend to the Economic Commission for Europe, the Economic Commission for Asia and the Far East, the Economic Commission for Latin America and the Economic Commission for Africa that they elaborate further appropriate measures to promote intra-regional trade co-operation;

4. To discuss at its thirty-second session, after a preliminary exchange of views among the executive secretaries of the regional economic commissions and the Chairman of the Commission on International Commodity Trade, the findings of the studies recommended in paragraphs 1, 2 and 3 above together with the report<sup>16</sup> being prepared under General Assembly resolution 1421 (XIV) on ways and means of promoting wider trade co-operation among States, in order to submit those studies together with the Council's comments to the Assembly at its sixteenth session.

*948th plenary meeting,  
15 December 1960.*

#### 1520 (XV). IMPROVEMENT OF THE TERMS OF TRADE BETWEEN THE INDUSTRIAL AND THE UNDER-DEVELOPED COUNTRIES

*The General Assembly,*

*Recalling* that one of the greatest economic development problems in most of the under-developed countries is the imbalance between the prices of the products they export and those of the merchandise and other goods which they need to import,

*Considering* that these terms of trade have been deteriorating steadily in recent years, thereby contributing to the difficult situation of economic and social instability in the countries concerned,

*Appreciating* that the means these countries can adopt in isolation to protect the prices of the raw materials or primary products which they produce are very weak and for the most part ineffective,

*Expressing the hope* that agreements similar to the international agreements concluded between producers and consumers in the case of sugar, wheat and tin might be concluded in the case of other primary commodities

<sup>16</sup> *Official Records of the Economic and Social Council, Thirtieth Session, Annexes, agenda items 2 and 4, document E/3389 and Corr.1/Rev.1, and the further report to be submitted to the Economic and Social Council at its thirty-second session.*

and implemented on a wider basis more favourable to the under-developed countries,

*Noting further* that there are other measures which States Members of the United Nations and members of the specialized agencies might take to alleviate the export problems of under-developed countries through improving their access to the markets of the more developed countries for their present and potential export products,

*Recognizing* that by such procedures a considerable improvement could be brought about in the terms of trade between the industrial and the under-developed countries;

1. *Recommends* that the Economic and Social Council and the Commission on International Commodity Trade intensify the study of measures, including in particular multilateral agreements among States, which might be adopted in order to extend and improve markets for the sale of primary commodities which form the basis of the economies of the under-developed countries;

2. *Requests* the Economic and Social Council to report to the General Assembly at its sixteenth session on any results of such studies as well as other similar studies now under way in various international organizations.

*948th plenary meeting,  
15 December 1960.*

#### 1521 (XV). ESTABLISHMENT OF A UNITED NATIONS CAPITAL DEVELOPMENT FUND

*The General Assembly,*

*Bearing in mind* the determination of the peoples of the United Nations to employ international machinery for the promotion of the economic and social advancement of all peoples,

*Recognizing* the urgency of accelerating the economic and social development of under-developed countries,

*Recognizing further* that the present flow of capital from the economically advanced countries to the under-developed countries for the economic and social development of the latter is wholly inadequate in nature and scope,

*Considering* the need for the United Nations to supplement all existing efforts for capital assistance to the under-developed countries,

*Recalling* its resolutions 1219 (XII) of 14 December 1957, 1240 (XIII) of 14 October 1958, 1317 (XIII) of 12 December 1958 and 1424 (XIV) of 5 December 1959, and Economic and Social Council resolutions 662 (XXIV) of 30 and 31 July 1957 and 740 (XXVIII) of 31 July 1959,

1. *Decides* in principle that a United Nations capital development fund shall be established;

2. *Resolves* that a committee of twenty-five representatives of Member States, to be designated by the President of the General Assembly on the basis of equitable geographical distribution, shall consider all concrete preparatory measures, including draft legislation, necessary to that end;

3. *Requests* the committee to submit its recommendations, including the draft legislation, to the Economic and Social Council at its thirty-second session, which shall transmit them, together with its comments, to the General Assembly at its sixteenth session for action;

4. *Requests* the Secretary-General to provide the committee with the necessary facilities.

*948th plenary meeting,  
15 December 1960.*

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At the 968th plenary meeting on 27 March 1961 the President of the General Assembly appointed the members of the Committee on a United Nations Capital Development Fund established in accordance with paragraph 2 of resolution 1521 (XV).

The Committee is composed as follows: Argentina, Brazil, Burma, Canada, Chile, Czechoslovakia, Denmark, France, Ghana, India, Indonesia, Iraq, Italy, the Ivory Coast, Japan, the Netherlands, Nigeria, Pakistan, Peru, Sudan, the Union of Soviet Socialist Republics, the United Arab Republic, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yugoslavia.

#### 1522 (XV). ACCELERATED FLOW OF CAPITAL AND TECHNICAL ASSISTANCE TO THE DEVELOPING COUNTRIES

*The General Assembly,*

*Bearing in mind* the responsibilities laid upon Member States by Article 55 of the Charter of the United Nations to promote higher standards of living, full employment and conditions of economic and social progress and development, and by Article 56 to take joint action in co-operation with the United Nations for the achievement of these purposes,

*Bearing in mind also* the widening gap in standards of living between the economically advanced and the less developed countries, and the necessity to deal with it through international co-operative action,

*Recognizing* the urgency and importance of accelerating the economic and social development of the under-developed countries for the maintenance of world peace and security and the promotion of better understanding among nations,

*Recognizing further* that, while the primary responsibility for their economic development, whether through the creation of appropriate social and economic conditions or the generation of internal capital, is and must remain that of the economically under-developed countries themselves, this development would be greatly aided by improving the nature and increasing the volume of the present flow of capital and the scope of technical assistance from the economically advanced countries to the under-developed countries,

*Appreciating* the steady contribution already made over the years to the promotion of development by the regular flow of international assistance,

*Believing however* that this present flow is inadequate,

1. *Expresses the hope* that the flow of international assistance and capital should be increased substantially so as to reach as soon as possible approximately 1 per cent of the combined national incomes of the economically advanced countries;

2. *Urges* that, while the flow of capital and technical assistance to the under-developed countries could be through public or private channels, whether bilaterally, multilaterally or through international organizations, an appropriate part thereof should be channelled through the United Nations and the specialized agencies, and in such a manner as not to bear heavily on the future balance of payments of the less developed countries;

3. *Recommends* that all States Members of the United Nations and members of the specialized agencies, economically advanced as well as under-developed, take such measures as may be appropriate both to accelerate the flow of capital and technical assistance and to ensure its effective utilization;

4. *Requests* the Secretary-General to report annually to the General Assembly through the Economic and Social Council on the progress made towards the objectives of the present resolution, taking into account Assembly resolution 1034 (XI) of 26 February 1957 and Council resolution 780 (XXX) of 3 August 1960.

*948th plenary meeting,  
15 December 1960.*

#### 1523 (XV). INTERNATIONAL CREDIT INSURANCE

*The General Assembly,*

*Recalling* its resolution 1318 (XIII) of 12 December 1958,

*Taking note with appreciation* of the Secretary-General's report on the promotion of the international flow of capital (E/3325 and Corr.1 and 2),

*Taking note also* of Economic and Social Council resolution 762 (XXIX) of 21 April 1960,

*Conscious* that all feasible measures should be adopted at the earliest possible date to assist and expand the flow of private funds for the purpose of developing the economically less developed countries,

*Requests* the Secretary-General, when reporting on measures designed to promote the flow of private capital as envisaged in Economic and Social Council resolution 762 (XXIX), to report also on the feasibility of extending the scope of activities of existing national credit insurance institutions, of creating new institutions or arrangements of this kind and of establishing international credit insurance organizations, keeping in view especially the difficulties encountered by the economically less developed countries with regard to their balance of payments.

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15 December 1960.*

#### 1524 (XV). FINANCING OF ECONOMIC DEVELOPMENT OF LESS DEVELOPED COUNTRIES THROUGH LONG-TERM LOANS AND IN OTHER ADVANTAGEOUS WAYS, AND INSURING AN INCREASING SHARE IN WORLD TRADE FOR THEIR PRODUCTS

*The General Assembly,*

*Bearing in mind* the urgent necessity of further facilitating the financing of the development of the less developed countries with a view to accelerating their economic development,

*Recognizing* the need to accelerate the industrialization of the less developed countries through the provision of an increasing flow of capital in a manner acceptable to the receiving countries,

*Realizing* that the diversification of the economies of the less developed countries implies industrialization and is becoming increasingly more urgent in view of the instability of their export earnings and their limited financial resources,

*Believing* that diversification, the establishment of modern industries in the less developed countries and the development of their economies must take place in

such a manner as to provide them with an opportunity to participate to a greater extent in the world market and, especially, to realize larger earnings from exports of their products, including exports of products of their newly established industries,

*Taking into account* the establishment of new international sources of credit,

1. *Recommends* all Member States:

(a) To encourage, on a bilateral and a multilateral basis, the extension as appropriate of long-term loans, grants, or credits on favourable terms, including interest-free loans or loans at the lowest possible interest rates, the longest possible repayment periods and repayment in local currencies or in other beneficial forms, as well as the influx of other forms of foreign capital and assistance, which are important factors in the economic and social progress of the less developed countries;

(b) To avoid, except for balance-of-payments reasons, reliance on the practices of restricting economic aid to particular sources of supply or exclusively to particular projects; when aid involves the supply of goods or services, they should be made available at competitive world prices;

(c) To co-operate in financing industrial, agricultural, social and other projects for productive purposes in harmony with the needs and requirements of the development programmes of the less developed countries;

2. *Calls upon* Governments of Member States to encourage the development and the diversification of the economies of the less developed countries with a view to increasing their share in world production and world trade, including trade in industrial products;

3. *Calls upon* the Economic and Social Council and the regional economic commissions to continue to study this important question, and requests the Committee for Industrial Development to make suggestions on the matter.

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1525 (XV). ACTIVITIES OF THE UNITED NATIONS IN THE FIELD OF INDUSTRIAL DEVELOPMENT

*The General Assembly,*

*Recalling* its resolution 1431 (XIV) of 5 December 1959, which recommended that the Economic and Social Council give consideration to the prompt establishment of a commission for industrial development,

*Noting* Economic and Social Council resolution 751 (XXIX) of 12 April 1960 on the establishment of the Committee for Industrial Development,

*Taking into consideration* the substantial interest of the economically less developed countries in developing their own industries as one of the main ways of diversifying their economic structures and developing their national economies generally,

*Being convinced* that the activities of the United Nations in the field of industrial development should be widened and accelerated,

1. *Recommends* that the Committee for Industrial Development should consider in drawing up its programme of work, in conjunction with the functions set forth in Economic and Social Council resolution 751 (XXIX), the following:

(a) To review the methods and techniques of programming general industrial development which have

been evolved by different countries and regions, and to contribute to international co-operation in this field;

(b) To work out general conclusions on the basis of the experience of industrial development in all countries with a view to promoting the exchange of experience in the field of industrial development between countries of different regions and having differing economic systems;

(c) To encourage the preparation of long-term economic projections in the field of industrial development taking into account social aspects of industrialization in the economically less developed countries as well as its influence on international economic relations and trade;

(d) To follow developments in the field of financing of new industries in the economically less developed countries and to make appropriate recommendations thereon;

2. *Recommends* that the Economic and Social Council at its resumed thirtieth session enlarge the membership of the Committee for Industrial Development to thirty members in order to ensure a more balanced representation of Member States in that Committee, in accordance with the principles enunciated in paragraph 4 of the Committee's terms of reference as set forth in Economic and Social Council resolution 751 (XXIX) and taking into account, in particular, the countries of Africa;

3. *Appeals* to the Governments of the States members of the Committee for Industrial Development to designate their representatives to the Committee in the near future and in accordance with the principle set forth in paragraph 6 of its terms of reference;

4. *Decides* to include in the General Assembly's provisional agenda, beginning with the sixteenth session, an item entitled "Industrial development and activities of the organs of the United Nations in the field of industrialization".

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15 December 1960.*

1526 (XV). LAND REFORM

*The General Assembly,*

*Bearing in mind* that land reform is frequently one of the main prerequisites for the general improvement of agricultural productivity, that the needs foreseen and the difficulties encountered still constitute a serious obstacle to the economic development of many under-developed countries<sup>17</sup> and that the necessary remedies to this end have not been set forth,

*Convinced* that the reports submitted by the Secretary-General for the consideration of the Economic and Social Council and the General Assembly, in accordance with Assembly resolutions 401 (V) of 20 November 1950, 524 (VI) of 12 January 1952, 625 A (VII) of 21 December 1952 and 826 (IX) of 11 December 1954, and Council resolutions 370 (XIII) of 7 September 1951, 512 C (XVII) of 30 April 1954 and 649 B (XXIII) of 2 May 1957, have provided valuable information on land reform but by no means indicate that the subject of land reform has been exhausted either from the standpoint of economic development and social well-being or that of the maximum utilization of resources,

*Recognizing* the usefulness of studies concerning obstacles which impede or render difficult the implementation of land reform,

<sup>17</sup> See *Land Reform: Defects in Agrarian Structure as Obstacles to Economic Development* (United Nations publication, Sales No.: 51.II.B.3).

1. *Recommends* that the Secretary-General, in co-operation with the Director-General of the Food and Agriculture Organization of the United Nations and the executive heads of the other specialized agencies concerned, should continue to study the progress achieved by countries which have carried out or are carrying out programmes for the transformation of their agrarian structure, at their request, and should submit for the consideration of the Economic and Social Council a comprehensive analytical survey every three years—the first of which would be presented in 1962 in accordance with General Assembly resolution 1426 (XIV) of 5 December 1959 and Economic and Social Council resolution 712 (XXVII) of 17 April 1959—devoting particular attention to a detailed and critical examination of the basic problems of land reform in under-developed countries, as mentioned in paragraph 55 of the 1959 report of the Secretary-General (E/3208);

2. *Further recommends* that the Secretary-General, prior to submitting his 1962 report, should inform the General Assembly at its sixteenth session of the progress achieved in implementation of Assembly resolution 1426 (XIV) and Economic and Social Council resolution 712 (XXVII);

3. *Invites* the Secretary-General, in complying with the terms of the present resolution and after appropriate consultation with, and at the request of, the Governments concerned in the carrying out of land reform programmes, as well as with the Director-General of the Food and Agriculture Organization and the executive heads of the other interested specialized agencies, to consider the possibility of:

(a) Undertaking studies with a view to ascertaining the demographic, legal, social, economic or other principal factors which may impede or expedite structural changes in the system of land tenure and consequently influence the application of the recommendations made in Economic and Social Council resolution 370 (XIII);

(b) Carrying out country studies in order to determine how tax, financial and budgetary factors, as well as the present utilization of land, can impede or expedite the execution of national land reform programmes in the under-developed countries;

(c) Evaluating the role of co-operatives and credit agencies in facilitating programmes for the transformation of the agrarian structure;

4. *Deems it convenient* that the question of land reform, in view of its importance for the economic development of the under-developed countries, should continue to be considered by the Economic and Social Council in collaboration with the Food and Agriculture Organization and the other specialized agencies concerned;

5. *Renews the hope*, expressed in its resolution 1426 (XIV), that existing United Nations organs for technical and financial assistance and any new organs which may be set up by the United Nations give as much assistance as possible and the necessary high priority to projects connected with the execution of agrarian reform programmes.

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### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda items 12, 29 and 74 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4390/Add.1	Introduction to the annual report of the Secretary-General on the work of the Organization (16 June 1959-15 June 1960)	<i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 1A</i>
A/4415	Report of the Economic and Social Council (1 August 1959-5 August 1960)	<i>Ibid., Supplement No. 3</i>
A/4505	Basic provisions of a treaty on general and complete disarmament: proposal submitted on 23 September 1960 by the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics	<i>Ibid., Fifteenth Session, Annexes, agenda item 67, 86, 69 and 73</i>
A/4537	Letter dated 12 October 1960 from the representative of the United States of America, addressed to the Secretary-General, transmitting the reply of the United States Government to allegations made in the United Nations against the United States by Mr. Fidel Castro, Prime Minister of Cuba	Mimeographed
A/C.2/207 and Corr.1	Economic resolutions adopted at the Second Conference of Independent African States in Addis Ababa: note by the Secretary-General	Ditto
A/C.2/L.458	Statement made by the Under-Secretary for Economic and Social Affairs at the 646th meeting of the Second Committee on 12 October 1960	Mimeographed; for summary see A/C.2/SR.646
A/C.2/L.459	Provision of food surpluses to needy peoples through the United Nations system: Canada, Haiti, Liberia, Pakistan, United States of America and Venezuela: draft resolution	See A/4551, para. 4
A/C.2/L.459/ Rev.1	Provision of food surpluses to needy peoples through the United Nations system: Canada, Haiti, Liberia, Pakistan, United States of America and Venezuela: revised draft resolution	<i>Ibid., para. 5</i>
A/C.2/L.459/ Rev.2 and Corr.1	Provision of food surpluses to needy peoples through the United Nations system: Canada, Haiti, Liberia, Pakistan, United States of America and Venezuela: revised draft resolution	<i>Ibid., para. 8</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.2/L.461 and Add.1	Partnership for economic and social development: Canada, Colombia, Federation of Malaya, Italy, Nigeria, Norway, Turkey and United Kingdom of Great Britain and Northern Ireland: draft resolution	See A/4648, para. 7
A/C.2/L.461/Rev.2 and Corr.1	Concerted action for economic development: Canada, Colombia, Federation of Malaya, Italy, Nigeria, Norway, Turkey and United Kingdom of Great Britain and Northern Ireland: revised draft resolution	<i>Ibid.</i> , para. 16
A/C.2/L.461/Rev.3	Concerted action for economic development: Canada, Colombia, Federation of Malaya, Italy, Nigeria, Norway, Turkey and United Kingdom of Great Britain and Northern Ireland: revised draft resolution	<i>Ibid.</i> , para. 28
A/C.2/L.461/Rev.4	Concerted action for economic development: Canada, Colombia, Federation of Malaya, Italy, Nigeria, Norway, Turkey and United Kingdom of Great Britain and Northern Ireland: revised draft resolution	<i>Ibid.</i> , para. 35
A/C.2/L.462	Note by the Secretariat transmitting a bibliography of official documents relating to food surpluses and shortages	Mimeographed
A/C.2/L.463	Afghanistan and United Arab Republic: amendment to document A/C.2/L.459/Rev.1	See A/4551, para. 7a
A/C.2/L.464	Czechoslovakia: amendment to document A/C.2/L.459/Rev.1	<i>Ibid.</i> , para. 7b
A/C.2/L.465	Financing of economic development through long-term loans extended at low rate of interest and changing the structure of the international division of labour in favour of the less developed countries: Czechoslovakia: draft resolution	See A/4648, para. 137
A/C.2/L.465/Rev.1	Financing of economic development of less developed countries through long-term loans and in other advantageous ways and ensuring an increasing share in world trade for their products: Czechoslovakia: revised draft resolution	<i>Ibid.</i> , para. 146
A/C.2/L.465/Rev.2	Financing of economic development of less developed countries through long-term loans and in other advantageous ways and ensuring an increasing share in world trade for their products: Czechoslovakia: revised draft resolution	<i>Ibid.</i> , para. 156
A/C.2/L.466	Union of Soviet Socialist Republics: draft resolution on international economic co-operation	<i>Ibid.</i> , para. 48
A/C.2/L.467	Guinea: amendments to document A/C.2/L.459/Rev.1	See A/4551, para. 7c
A/C.2/L.468	Byelorussian Soviet Socialist Republic: amendments to document A/C.2/L.459/Rev.2 and Corr.1	<i>Ibid.</i> , para. 13
A/C.2/L.469	Economic and social consequences of disarmament: Pakistan: draft resolution	See A/4648, para. 54
A/C.2/L.469/Rev.1	Economic and social consequences of disarmament: Pakistan: revised draft resolution	<i>Ibid.</i> , para. 59
A/C.2/L.469/Rev.1/Add.1	Statement of financial implications of the draft resolution contained in document A/C.2/L.469/Rev.1: note by the Secretary-General	See A/C.5/845 in this fascicle
A/C.2/L.470 and Add.1	Decentralization of the United Nations economic and social activities and strengthening of the regional economic commissions: Argentina, Burma, El Salvador, Ethiopia, Gabon, Ghana, Liberia, Libya, Morocco, Somalia, Sudan, Thailand, United Arab Republic, Venezuela and Yugoslavia: draft resolution	See A/4648, para. 73
A/C.2/L.470/Rev.1 and Add.1	Decentralization of the United Nations economic and social activities and strengthening of the regional economic commissions: Argentina, Brazil, Burma, Chile, Colombia, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guinea, India, Iraq, Liberia, Libya, Morocco, Nigeria, Pakistan, Sudan, Thailand, Togo, Tunisia, United Arab Republic, Venezuela and Yugoslavia: revised draft resolution	<i>Ibid.</i> , para. 75
A/C.2/L.470/Rev.2	Decentralization of the United Nations economic and social activities and strengthening of the regional economic commissions: Argentina, Brazil, Burma, Chile, Colombia, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guinea, India, Iraq, Liberia, Libya, Morocco, Nigeria, Pakistan, Sudan, Thailand, Togo, Tunisia, United Arab Republic, Venezuela and Yugoslavia: revised draft resolution	<i>Ibid.</i> , para. 78
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A/C.2/L.471	Strengthening and development of the world market and improvement of the trade conditions of the economically less developed countries: Bulgaria, Czechoslovakia and Poland: draft resolution	See A/4648, para. 87
A/C.2/L.471/Rev.1	Strengthening and development of the world market and improvement of the trade conditions of the economically less developed countries: Bulgaria, Czechoslovakia and Poland: revised draft resolution	<i>Ibid.</i> , para. 90

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A/C.2/L.472/ Rev.1 and Add.1	Establishment of a United Nations capital development fund: Afghanistan, Argentina, Bolivia, Brazil, Burma, Cambodia, Ceylon, Chile, Colombia, Cuba, Cyprus, Ecuador, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Laos, Lebanon, Liberia, Libya, Mali, Morocco, Nepal, Nigeria, Pakistan, Panama, Peru, Philippines, Saudi Arabia, Somalia, Sudan, Thailand, Togo, Tunisia, Turkey, United Arab Republic, Uruguay, Yemen and Yugoslavia: revised draft resolution	<i>Ibid.</i> , para. 109
A/C.2/L.473	Nigeria: amendment to document A/C.2/L.470	<i>Ibid.</i> , para. 74
A/C.2/L.474 and Add.1 and 2	Accelerated flow of capital and technical assistance to the developing countries: Afghanistan, Burma, Ceylon, Chad, Ghana, India, Indonesia, Iraq, Nepal, Nigeria, Pakistan, United Arab Republic, Yemen and Yugoslavia: draft resolution	<i>Ibid.</i> , para. 117
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A/C.2/L.476	United Arab Republic: amendments to document A/C.2/L.461/Rev.1	<i>Ibid.</i> , para. 11
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A/C.2/L.477/ Rev.1	Ukrainian Soviet Socialist Republic: amendments to document A/C.2/L.461/Rev.2 and Corr.1	<i>Ibid.</i> , para. 21
A/C.2/L.478 and Corr.1	Pakistan: amendments to document A/C.2/L.461/Rev.1	<i>Ibid.</i> , para. 13
A/C.2/L.479	Remarks made by the Under-Secretary for Economic and Social Affairs at the 671st meeting of the Second Committee, on 8 November 1960	Mimeographed; for summary see A/C.2/SR.671
A/C.2/L.480	Romania: amendments to document A/C.2/L.461	See A/4648, para. 14
A/C.2/L.481	Tunisia: amendments to document A/C.2/L.461	<i>Ibid.</i> , para. 15
A/C.2/L.481/ Rev.1	Tunisia: amendments to document A/C.2/L.461/Rev. 2 and Corr.1	<i>Ibid.</i> , para. 22
A/C.2/L.482	Ireland, New Zealand and Thailand: amendments to document A/C.2/L.461/Rev.2 and Corr.1	<i>Ibid.</i> , para. 17
A/C.2/L.483	Ukrainian Soviet Socialist Republic: amendments to document A/C.2/L.461/Rev.2 and Corr.1	<i>Ibid.</i> , para. 23
A/C.2/L.483/ Rev.1	Ukrainian Soviet Socialist Republic: amendments to document A/C.2/L.461/Rev.4	<i>Ibid.</i> , para. 39
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A/C.2/L.486	United States of America: amendment to document A/C.2/L.465	<i>Ibid.</i> , para. 140
A/C.2/L.487	Afghanistan and United Arab Republic: amendments to document A/C.2/L.465	<i>Ibid.</i> , para. 139, note
A/C.2/L.487/ Rev.1	Afghanistan and United Arab Republic: revised amendments to document A/C.2/L.465	<i>Ibid.</i> , para. 139
A/C.2/L.488	Brazil, Ceylon, Indonesia and Iraq: amendment to document A/C.2/L.461/Rev.2 and Corr.1	<i>Ibid.</i> , para. 26
A/C.2/L.489	Brazil, Ceylon, India, Indonesia and Iraq: amendment to document A/C.2/L.461/Rev.2 and Corr.1	<i>Ibid.</i> , para. 27

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A/C.2/L.490	Land reform: Bolivia, Cuba, Ghana, Iraq, United Arab Republic and Yugoslavia: draft resolution	<i>Ibid.</i> , para. 175
A/C.2/L.490/ Rev.1	Land reform: Bolivia, Cuba, Ghana, Iraq, United Arab Republic and Yugoslavia: revised draft resolution	<i>Ibid.</i> , para. 177
A/C.2/L.491 and Add.1-6	Activities of the United Nations in the field of industrial development: Afghanistan, Brazil, Burma, Central African Republic, Chad, Cuba, Czechoslovakia, Dahomey, Ethiopia, Gabon, Ghana, Greece, Guinea, Haiti, Indonesia, Iraq, Ivory Coast, Lebanon, Liberia, Libya, Mali, Morocco, Niger, Nigeria, Pakistan, Peru, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, Upper Volta and Yugoslavia: draft resolution	<i>Ibid.</i> , para. 166
A/C.2/L.492	Projections: Argentina, Denmark, Netherlands, New Zealand, Pakistan, Peru, Thailand and Tunisia: draft resolution	<i>Ibid.</i> , para. 66
A/C.2/L.493	Improvement of the terms of trade between the industrial and the under-developed countries: Colombia and Costa Rica: draft resolution	<i>Ibid.</i> , para. 98
A/C.2/L.493/ Rev.1	Improvement of the terms of trade between the industrial and the under-developed countries: Colombia and Costa Rica: revised draft resolution	<i>Ibid.</i> , para. 99
A/C.2/L.493/ Rev.2	Improvement of the terms of trade between the industrial and the under-developed countries: Colombia and Costa Rica: revised draft resolution	<i>Ibid.</i> , para. 101
A/C.2/L.494	Development of petroleum industry in the less developed countries: Brazil: draft resolution	<i>Ibid.</i> , para. 162
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A/C.2/L.495	International credit insurance: Pakistan: draft resolution	<i>Ibid.</i> , para. 130
A/C.2/L.495/ Rev.1	International credit insurance: Indonesia and Pakistan: revised draft resolution	<i>Ibid.</i> , para. 131
A/C.2/L.496	United States of America: amendment to document A/C.2/L.480	<i>Ibid.</i> , para. 34
A/C.2/L.496/ Rev.1	United States of America: revised amendment to document A/C.2/L.480	<i>Ibid.</i> , para. 34
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A/C.2/L.500	New Zealand: amendment to document A/C.2/L.487/Rev.1	<i>Ibid.</i> , para. 143
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A/C.2/L.503	Turkey: amendment to document A/C.2/L.465/Rev.1	See A/4648, para. 153
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A/C.2/L.505	Greece: amendments to document A/C.2/L.465/Rev.1	<i>Ibid.</i> , para. 150
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A/C.2/L.508	Mexico: amendment to document A/C.2/L.465/Rev.1	<i>Ibid.</i> , para. 155
A/C.2/L.510	Poland: amendment to document A/C.2/L.469	<i>Ibid.</i> , para. 56
A/C.2/L.511	Lebanon: amendment to document A/C.2/L.469	<i>Ibid.</i> , para. 57
A/C.2/L.513	United States of America: amendments to document A/C.2/L.470/Rev.1	<i>Ibid.</i> , para. 77
A/C.2/L.514	Denmark, Greece, Netherlands and Sweden: amendments to document A/C.2/L.472	<i>Ibid.</i> , para. 108
A/C.2/L.515	United Kingdom of Great Britain and Northern Ireland: amendments to document A/C.2/L.470/Rev.2	<i>Ibid.</i> , para. 80
A/C.2/L.516	Israel: amendment to document A/C.2/L.470/Rev.2	<i>Ibid.</i> , para. 81
A/C.2/L.517	United States of America: amendments to document A/C.2/L.471	<i>Ibid.</i> , para. 89
A/C.2/L.518	Statement made by the Under-Secretary for Economic and Social Affairs at the 687th meeting of the Second Committee on 21 November 1960	Mimeographed; for summary see A/C.2/SR.687, paras. 33-35
A/C.2/L.523	Burma: amendments to document A/C.2/L.492	See A/4648, para. 68

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A/C.2/L.535	Denmark, Greece and Netherlands: amendments to document A/C.2/L.472/Rev.1	<i>Ibid.</i> , para. 111
A/C.2/L.536	Italy: amendment to document A/C.2/L.491	<i>Ibid.</i> , para. 168
A/C.2/L.537	Draft report of the Second Committee	For the text of this document, as modified by the Second Committee at its 714th meeting, see A/4648
A/C.2/L.540	Netherlands: amendment to document A/C.2/L.474/Rev.2	See A/4648, para. 122
A/C.2/L.541	Italy: amendment to document A/C.2/L.474/Rev.2	<i>Ibid.</i> , para. 123
A/C.2/L.543	France: amendment to document A/C.2/L.474/Rev.2	<i>Ibid.</i> , para. 124
A/C.5/847 and Add.1	Letter dated 5 December 1960 from the Chairman of the Second Committee to the President of the General Assembly	Mimeographed
E/2564	Replies of Governments to a <i>note verbale</i> on measures by Governments to prevent foreseeable adverse effects on their economy arising from reductions in defence expenditures	Ditto
E/3202/Add.1/Rev.1	Compendium of extracts from resolutions of the General Assembly and the Economic and Social Council involving principles of international economic co-operation: replies by Governments under paragraph a of the General Assembly resolution 1321 (XIII)	Ditto
E/3208	Land reform: report of the Secretary-General	<i>Official Records of the Economic and Social Council, Twenty-seventh Session, Annexes</i> , agenda item 5
E/3314	Note by the Secretary-General transmitting to the Council the annual report of the International Bank for Reconstruction and Development for the fiscal year ended 30 June 1959	Mimeographed. For the report of the Bank, see International Bank for Reconstruction and Development, <i>Fourteenth Annual Report, 1958-1959</i> (Washington, D.C.)
E/3314/Add.1 and Corr.1	Note by the Secretary-General transmitting to the Council a summary of developments in the Bank from 1 July 1959 to 31 January 1960	Mimeographed
E/3325 and Corr.1-3	The promotion of the international flow of private capital: progress report of the Secretary-General	Ditto
E/3337	Annual report of the Technical Assistance Board to the Technical Assistance Committee for 1959	<i>Official Records of the Economic and Social Council, Thirtieth Session, Supplement No. 5</i>
E/3347/Rev.1	<i>Five-Year Perspective, 1960-1964: consolidated report on the appraisals of the scope, trend and costs of the programmes of the United Nations, ILO, FAO, UNESCO, WHO, WMO and IAEA in the economic, social and human rights fields</i>	United Nations publication, Sales No.: 60.IV.14
E/3361	<i>World Economic Survey, 1959</i>	Ditto, Sales No.: 60.II.C.1
E/3369	International flow of private capital 1958-1959: report of the Secretary-General	<i>Official Records of the Economic and Social Council, Thirtieth Session, Annexes</i> , agenda items 2 and 4
E/3379 and Corr.1	Evaluation of long-term economic projections: preliminary report of the Secretary-General	<i>Ibid.</i>
E/3379/Add.1-7	Evaluation of long-term economic projections: replies from Governments, specialized agencies and inter-governmental organizations	Mimeographed
E/3383	Report of the Commission on International Commodity Trade on its eighth session	<i>Official Records of the Economic and Social Council, Thirtieth Session, Supplement No. 6</i>
E/3387 and Add.1	Opportunities for international co-operation on behalf of newly independent countries: report of the Secretary-General	<i>Ibid.</i> , <i>Thirtieth Session Annexes</i> , agenda items 2 and 4
E/3389 and Corr.1/Rev.1	Ways and means of promoting wider trade co-operation among States: preliminary report of the Secretary-General	<i>Ibid.</i>
E/3393	United Nations capital development fund: report of the Secretary-General	<i>Ibid.</i>
E/3393/Add.1-4	United Nations capital development fund: replies from Governments	Mimeographed
E/3394	Statement by the Secretary-General	<i>Official Records of the Economic and Social Council, Thirtieth Session, Annexes</i> , agenda items 2 and 4
E/3395 and Add.1	International economic assistance to the less developed countries: memorandum by the Secretary-General	<i>Ibid.</i>

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<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
E/CN.12/541 and Corr.1	Economic Survey of Latin America, 1959	Mimeographed
E/CN.14/28	<i>Economic Survey of Africa since 1950</i>	United Nations publications, Sales No.: 59.II.K.1
E/ECE/205	The Price of Oil in Western Europe—Study prepared by the Secretariat of the Economic Commission for Europe	Geneva, March 1955
E/L.861	Union of Soviet Socialist Republics: draft resolution	<i>Official Records of the Economic and Social Council, Twenty-ninth Session, Annexes</i> , agenda item 16 and 20



**Agenda item 13: Report of the Trusteeship Council\*\***

**Agenda item 47: Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General\*\*\***

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\*\* For the records of the meetings at which this item was considered, see *Official Records of the General Assembly, Fifteenth Session, Fourth Committee*, 1081st, 1096th, 1098th, 1103rd and 1141st to 1154th meetings; and *ibid.*, *Plenary Meetings*, 994th and 995th meetings.

\*\*\* For the records of the meetings at which this item was considered, see *Official Records of the General Assembly, Fifteenth Session, Fourth Committee*, 1153rd and 1154th meetings; and *ibid.*, *Plenary Meetings*, 995th meetings.

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### DOCUMENT A/4695

#### **Cable dated 14 February 1961 from the Permanent Representative of Cameroun to the United Nations addressed to the Secretary-General**

[Original text: French]  
[15 February 1961]

My Government notifies me of disorders provoked by Nigerians under the eyes of acquiescent Nigerian and United Kingdom police and of attacks directed against Camerounian representatives, sand being put into the petrol tanks of their vehicles, on the occasion of the plebiscite in Northern Cameroons. United Nations observers have apparently detected and noted numerous irregularities which they wish to verify before reporting even partial results. I am instructed by the Camerounian Government to convey its most express reservations with respect to the results of the ballot and to lodge a vehement protest against the man-

ner in which the United Kingdom authorities have organized the ballot and the counting of the votes, in particular the participation of Nigerian police specially summoned to the scene contrary to the resolution of the United Nations General Assembly which recommended the separation of the administration of the Trust Territory from that of Nigeria as from 1 October 1960, the date of Nigeria's accession to independence. Request you regard this protest as a United Nations document and arrange for its circulation to all Member States.

(Signed) NTHEPE

### DOCUMENT A/4699

#### **Cable dated 19 February 1961 from the Government of Cameroun to the Secretary-General<sup>1</sup>**

[Original text: French]  
[27 February 1961]

The Government of the Republic of Cameroun hereby hastens to inform you that it is demanding annulment of the electoral operations which took place during the plebiscite in Northern Cameroons on 11 and 12 February last. The preparation and subsequent stages of this plebiscite were tainted by serious irregularities, most of which were noted and acknowledged as such by the United Nations observers. Moreover, the United Nations resolution inviting the Administering Authority to separate the administration of the Northern Cameroons from that of Federation Nigeria as

from date of independence of the Federation has been systematically evaded, the United Kingdom having never applied it. The Minister for Foreign Affairs will personally argue, before qualified bodies under the General Assembly's authority, brief of claims relating to all these irregularities, which have resulted in serious impairment of proper execution of operations in the public expression of opinion organized. The Government of the Republic of Cameroun here and now energetically enters indignant protest against attitude of a certain United Nations observer whose statements seem to side wholly with Federation Nigeria. Government Republic of Cameroun declares its opposition to any report by representative of United Nations tending to ratify results of contested plebiscite.

<sup>1</sup> The Government of Cameroun addressed an identical communication to the President of the Security Council.

**DOCUMENT A/4726****Special report of the Trusteeship Council**

[Original text: English]  
[11 April 1961]

1. By resolution 1350 (XIII) of 13 March 1959, the General Assembly recommended that the Administering Authority, in pursuance of Article 76 b of the Charter of the United Nations, take steps, in consultation with a United Nations Plebiscite Commissioner, to organize, under the supervision of the United Nations, separate plebiscites in the northern and southern parts of the Cameroons under United Kingdom administration in order to ascertain the wishes of the inhabitants of the Territory concerning their future.

2. In the same resolution the General Assembly decided to appoint a United Nations Plebiscite Commissioner (Mr. Djalal Abdoh) who should exercise, on behalf of the Assembly, all the necessary powers and functions of supervision and who should be assisted by observers and staff to be appointed by the Secretary-General in consultation with him. It requested the Commissioner to submit to the Trusteeship Council a report in two parts on the organization, conduct and results of the plebiscites.

3. By resolution 1352 (XIV) of 16 October 1959, the General Assembly decided that the arrangements for the plebiscite in the southern part of the Territory should begin on 30 September 1960, that the plebiscite should be concluded not later than March 1961 and that the two questions to be put at the plebiscite should be:

“(a) Do you wish to achieve independence by joining the independent Federation of Nigeria?”

“(b) Do you wish to achieve independence by joining the independent Republic of Cameroun?”

4. By resolution 1473 (XIV) of 12 December 1959, the General Assembly, having taken note of the reports of the United Nations Plebiscite Commissioner and of the Trusteeship Council on the plebiscite held in the northern part of the Trust Territory of the Cameroons on 7 November 1959, decided that a further plebiscite would be held in the Northern Cameroons not later than March 1961, and that the questions to be put should be:

“(a) Do you wish to achieve independence by joining the independent Republic of Cameroun?”

“(b) Do you wish to achieve independence by joining the independent Federation of Nigeria?”

5. In pursuance of these resolutions, the United Nations Plebiscite Commissioner submitted to the

Trusteeship Council, on 30 March 1961, a report in two parts concerning the organization, conduct and results of the plebiscites in the southern and northern parts of the Trust Territory of the Cameroons under United Kingdom administration (T/1556, T/1556/Appendix and Add.1 and 2<sup>2</sup>).

6. The report was presented by the United Nations Plebiscite Commissioner to the Trusteeship Council at its 1135th meeting, held during its eleventh special session on 10 April 1961. After the Council had heard statements by the Commissioner and by the representative of the Administering Authority, a draft resolution was submitted by Bolivia and India (T/L.1008) and was unanimously adopted by the Council as resolution 2101(S-XI). Several delegations observed that the adoption of this resolution did not prejudice their position on the substance of the matter. The representative of France stated that his vote in favour of the resolution did not imply that his delegation recognized the validity of the results of the plebiscite in the Northern Cameroons.

7. The text of the resolution is annexed to the present report.

**ANNEX***The Trusteeship Council,*

*Recalling* that it was requested by the General Assembly in resolutions 1350 (XIII) of 13 March 1959, 1352 (XIV) of 16 October 1959 and 1473 (XIV) of 12 December 1959 that the report of the United Nations Plebiscite Commissioner on the plebiscites conducted in the southern and northern parts of the Cameroons under United Kingdom administration be submitted to the Trusteeship Council and transmitted by the Trusteeship Council to the General Assembly with any recommendations and observations it considered necessary,

*Bearing in mind* the need to facilitate urgent consideration of this report by the General Assembly at its fifteenth session,

1. *Takes note* of the report of the United Nations Plebiscite Commissioner (T/1556, T/1556/Appendix and Add.1 and 2);

2. *Expresses its warm appreciation* of the work of the United Nations Plebiscite Commissioner and his staff;

3. *Forwards* the report to the General Assembly for its consideration.

<sup>2</sup> This document was subsequently issued under the symbol A/4727.

**DOCUMENT A/C.4/448****Discussions in the Trusteeship Council on the future of the Cameroons under United Kingdom administration: note by the Secretary-General**

[Original text: English]  
[27 October 1960]

In compliance with the decision of the Trusteeship Council in operative paragraph 4 of its resolution 2013 (XXVI) of 31 May 1960, on the future of the Trust Territory of the Cameroons under United Kingdom administration, the Secretary-General has the honour

to draw the attention of the members of the Fourth Committee to the records of the meetings at which this question was discussed during the twenty-sixth session of the Trusteeship Council and which are contained in documents T/SR.1085 to 1094, inclusive.

Furthermore, in accordance with the decision of the Trusteeship Council, taken at its 1125th meeting, to transmit to the General Assembly the record of the meeting at which it heard the statement of a petitioner representing the Action Group in the Northern Cameroons and to draw the petitioner's statement to the at-

tention of the General Assembly at its fifteenth session,<sup>3</sup> the Secretary-General has the honour to inform the members of the Fourth Committee that the record of the meeting and the petitioner's statement are contained in document T/SR.1125.

<sup>3</sup> See A/4404, part II, chap. IV, para. 33.

### DOCUMENT A/C.4/479

#### **Letter dated 10 April 1961 from the representative of the United Kingdom of Great Britain and Northern Ireland on the Fourth Committee addressed to the Chairman of the Fourth Committee**

[Original text: English]  
[10 April 1961]

During the past few days the Government of the Republic of Cameroun has distributed to members of the General Assembly a pamphlet entitled *Position of the Republic of the Cameroun following the plebiscite of 11th and 12th February 1961 in the northern portion of the Territory of the Cameroun under the administration of the United Kingdom of Great Britain and Northern Ireland*.<sup>4</sup> This pamphlet contains a series of criticisms of the conduct of the plebiscite in the Northern Cameroons.

The United Kingdom is animated by the most friendly feelings towards the Government and people of the Cameroun Republic and the United Kingdom Delegation will enter the forthcoming debate in the Fourth Committee with those feelings of friendship in mind. But, in view of the responsibility of the United Kingdom Government as Administering Authority for the conduct of the plebiscite in the Northern Cameroons under United Nations supervision, I feel sure that the Delegation of the Cameroun Republic, and indeed all delegations represented in the General Assembly, would wish to have detailed comments of the United Kingdom Delegation on the complaints, which it believes to be incorrect and unjustified.

I should therefore be grateful if you would circulate urgently to the members of the Fourth Committee the attached memorandum, which sets out the facts concerning all the points raised in the pamphlet. The memorandum also, for the convenience of the Fourth Committee, draws attention to the paragraphs of the report of the United Nations Plebiscite Commissioner where these are relevant to the charges made by the Government of the Republic of Cameroun. Advance copies of this letter and the enclosed memorandum will meanwhile be given informally to all delegations in English.

In replying to the criticisms made by the Government of the Cameroun Republic against the United Kingdom, the United Kingdom Delegation wishes to emphasize that the question of the future of the Cameroons under United Kingdom administration should not, in its view, be a matter for dispute between members of the United Nations. At this stage in the history of the Trust Territory of the Cameroons under United Kingdom administration, the concern of the United Kingdom is solely to ensure that the wishes of the people of the Territory concerning their future are met, and the United Kingdom will be guided by this

principle in the forthcoming debate in the Fourth Committee.

(Signed) A. B. COHEN

#### **Comments by the United Kingdom Delegation on the pamphlet entitled *Position of the Republic of the Cameroun following the plebiscite of 11th and 12th February 1961 in the northern portion of the Territory of the Cameroun under the administration of the United Kingdom of Great Britain and Northern Ireland*.**

##### (Pages 1 and 2\*)

1. In part II of the pamphlet the Government of Cameroun maintains that the Administering Authority should not have administered the northern and southern parts of the Trust Territory separately.

##### *Comment*

2. Ever since the United Kingdom became responsible for the administration of the Trust Territory in 1919 it has been administered in this way, which reflects the political, geographical and ethnic realities of the Territory. Although from time to time this policy has been questioned by individual delegations it has in fact been accepted by the League of Nations, the Trusteeship Council and the General Assembly during forty-two years of international supervision of the administration. The United Nations Visiting Mission to Trust Territories in West Africa, 1958, a sentence from whose report is quoted by the Government of Cameroun, stated that it "is convinced that a realistic appraisal of the present situation of the Trust Territory, as well as a realistic approach to the question of its future, require that the Territory should not be regarded as an entity but should be considered in terms of two parts and two groups of peoples, northern and southern, whose history and development have taken distinctly different courses and between whom there now exist profound differences both in administrative systems and in political attitudes and loyalties" (T/1426 and Add.1, para. 166). It was in the light of this judgement that the General Assembly recommended, in resolution 1350 (XIII), that the views of the peoples of the northern and southern parts of the Territory concerning their future should be ascertained separately.

##### (Page 2, 7th para. and footnote 2)

3. The Government of Cameroun refers to "the clear-cut disavowal by the populations of North Came-

<sup>4</sup> Published in French, English and Spanish by the Ministry of Foreign Affairs and the Secretariat of State for Information of the Republic of Cameroun.

\* The page numbers refer to the pamphlet published by the Republic of Cameroun.

rooms of the policy of integration, at the plebiscite of 1959" and suggests that the vote in the present plebiscite constitutes a reversal of this decision.

#### *Comment*

4. It is not correct to say that the 1961 plebiscite constituted a reversal of the 1959 plebiscite result; different questions were put in the two plebiscites and union with the Republic of Cameroun was not a question in the 1959 plebiscite. In fact, the vote in the 1959 plebiscite was a vote in favour of deferring the decision on the future of the Northern Cameroons until a later date. As the United Nations Plebiscite Commissioner observed in his report on the 1959 plebiscite (A/4314 and Add.1), it appeared that the majority of the voters had on this occasion made use of the opportunity offered by the plebiscite to register what was in effect a protest vote against the system of local administration then prevailing in the Northern Cameroons, and that one of the reasons the majority had voted in favour of the second alternative was to express the desire for a speedy introduction of reforms. Accordingly, the General Assembly, in resolution 1473 (XIV), recommended the introduction of such reforms without delay. These reforms were adopted and speedily introduced, and were in full effect by 1 October 1960. In the event, several of the political parties which had campaigned in the 1959 plebiscite in favour of delaying a decision campaigned in the 1961 plebiscite in favour of union with Nigeria under the new conditions which had been established. The attitude of these political parties is described in paragraphs 437-450 of the report of the United Nations Plebiscite Commissioner on the 1961 plebiscites (A/4727).

(Page 3, 3rd para.; page 4, 3rd para.; page 5, 7th and 8th paras.)

5. The Government of Cameroun alleges that the United Kingdom failed to implement recommendations in General Assembly resolution 1473 (XIV) to the effect that steps be taken without delay to secure a wider decentralization of administrative powers and an effective democratization of the local administrative system in the northern portion of the Trust Territory and that immediate steps should be taken for the administrative separation of the Northern Cameroons and Nigeria, such separation to take effect from 1 October 1960.

#### *Comment*

6. The United Kingdom complied with resolution 1473 (XIV) in the manner described to the Trusteeship Council in its report of 16 May 1960 (T/1530). This report showed that the local government institutions of the Northern Cameroons had already been reorganized so as to separate them completely from the framework of local government in the adjoining areas of the Northern Region of Nigeria. The report also explained that the Native Authority councils in the Trust Territory would in future be composed of members elected from the district councils, who would themselves be elected by secret ballot. These new administrative arrangements are described in detail in paragraphs 17-20 of document T/1530. The manner in which they had been put into effect by 1 October 1960, when the plebiscite began, is described at length in paragraphs 392-417 of the report of the United Nations Plebiscite Commissioner. In particular, the Plebi-

scite Commissioner reports in paragraph 408-410, as follows:

"408. It was learned during the plebiscite period that the elections by secret ballot and based on adult male suffrage were held as planned for the new district and town councils during the middle of 1960. Some new districts were created and others re-named; at the same time, certain village areas were also re-arranged. Subsequently, the new district and town councils had elected members, by secret ballot, to the Native Authorities and these Authorities had begun functioning. On the abolition of the old district and town councils a number of district and village heads and staff were dismissed or retired.

"409. The district councils are now composed, in varying combinations, of a majority of elected members, a number of ex officio village heads and a number of nominated members representing special interests and minority groups.

"410. The Native Authority Councils are similarly composed of a majority of elected members (except in Dikwa), ex officio district or village heads and nominated members, except that the elected members of these councils are elected up from the district councils and not by direct election. The ex officio members of the councils were appointed in consultation with the district councils within the particular Native Authority and with the elected members of the Authority. Each Council chose its own Chairman or President."

In paragraph 416 the United Nations Plebiscite Commissioner gives an example of the degree to which the desires of the people for local government reform had been met, viz:

"The Mambilla District Council—a newly created council—besides having an important advisory function in regard to the Gashaka-Mambilla Native Authority, levies tax for local services and has fulfilled the desire of the Mambilla people to have a local authority in their own district and to be separated from the administration of the Adamawa Emirate."

(Page 3, 5th para.; page 4, 1st para.)

7. The Government of Cameroun alleges that "these changes were accompanied by a systematic supersession by chiefs who were partisans of reunification and their replacement by others entirely devoted to the Nigerian cause."

#### *Comment*

8. In the newly constituted and democratized Native Authorities there are no such persons as chiefs. There are district and village heads, who are appointed in a democratic manner. The method of election to the new Native Authorities and district councils, and the method of appointment of district heads, are as follows:

In Mubi, elections were held in June and July 1960 on a suffrage of adult males by secret ballot to the eight district councils of Belé, Cubunawa, Madagali, Maiha, Mayo-Bani, Mubi and Sorou districts and the Mubi Town Council. These elections were held under the terms of the Mubi Native Authority (Subordinate Councils) Electoral Rules 1960. As a result of these elections district councils were constituted, consisting of village heads and elected members, with the elected members in the majority in each case. The village

heads are appointed by the Native Authority after consultation with the hamlet heads or the village family heads. Following the elections to district councils, elections were held by secret ballot by each of these district councils to the Mubi Native Authority in accordance with the Mubi Native Authority (Elections to Native Authority Council) Regulations 1960. The purpose of these elections was to elect members of the district councils to the Native Authority Council. The result was that of the fifteen elected members of the Native Authority Council, three village heads and twelve elected members of the district councils were elected to sit in the Native Authority Council.

9. It then remained to appoint the seven district heads. All district councils and all elected members of the Native Authority Council were separately consulted. Each district head was appointed with the majority support (in three cases unanimous) of his district council and in all cases with the unanimous support of the elected members of the Native Authority Council. At the first meeting of the Native Authority on 15 August 1960, the Native Authority decided that each district head should be president for a month in rotation.

10. The other district authorities of Gwoza, Chamba and Gashaka-Mambilla were formed in a similar manner, but in the first two Authorities the president is elected and does not rotate. The set-up in other councils is as follows:

**Gwoza Native Authority**

Eighteen ex officio members (village or clan heads);  
34 elected members;  
1 nominated member.

**Chamba Native Authority**

Six district heads ex officio but virtually elected (see Mubi N.A. above);  
2 persons nominated to represent Koma/Vomni minority area;  
5 elected members.

**Gashaka-Mambilla Native Authority**

Two ex officio but virtually elected (see Mubi N.A. above);  
6 nominated i.e.;  
1 to represent Christian missions;  
1 to represent Trading Community;  
2 village heads, Mambilla area;  
1 village head, Gashaka area;  
1 *ardo* or headman to represent Fulani minority;  
8 elected members.

**United Hills Native Authority**

Sixteen ex officio members;  
24 elected members.

**Dikwa Native Authority**

Six ex officio members;  
8 elected members;  
1 nominated member;  
1 person nominated to represent Shuwa Arab minority after consultation with them.

11. In the consideration of all complaints made against the Native Authorities, district councils and district heads, it must be remembered that these are authorities set up in the Northern Cameroons in accordance with the wishes of the Cameroonians themselves in the democratic manner described above; it goes without saying, of course, that they are not in any way responsible to any authority in Nigeria.

(Page 3, 4th para.; page 5, 8th para.)

12. The Government of Cameroun alleges that large numbers of Nigerian officials of all kinds occupying the higher posts of Government were retained after 1 October 1960, and that the United Kingdom deliberately replaced British officials by Nigerians.

*Comment*

13. After 1 October, a completely separate administration was set up in the Northern Cameroons, under the United Kingdom Administrator, responsible solely and directly to the United Kingdom Government. After that date, all officials in the Trust Territory were appointed by him and came under his orders. It is true that many were on loan from the Government of Northern Nigeria. In its report to the Trusteeship Council on 16 May (T/1530), the Administering Authority made it quite clear that this would be so, and that any other arrangement would be quite impracticable. In fact the Administering Authority did exactly what it told the United Nations in advance that it was going to do. In particular, the Administering Authority fully carried out the request of the Trusteeship Council in operative paragraph 1 of its resolution 2013 (XXVI) that it should ensure the existence of a Police Force in the Northern Cameroons wholly responsible to the authorities in the Territory. Although, as the representative of the Administering Authority had explained to the Trusteeship Council, the personnel of this Force was drawn from the Nigerian Federal Police, it was entirely separated from that Force on the independence of Nigeria and became a separate force known as the Trust Territory Police directly responsible to the Administrator of the Territory and with an establishment of 172 officers and men for the whole Territory. The arrangement is described in paragraphs 424-436 of the Plebiscite Commissioner's report.

14. The situation with regard to officials is described by the United Nations Plebiscite Commissioner in paragraphs 420 and 421 of his report, as follows:

"420. As regards expatriate staff, it would have been, in the Administrator's view, wholly impracticable to bring to the Territory and to employ in its administration expatriate officials from the United Kingdom or from British territories who were neither acquainted with the problems of the area nor able to communicate with the people in the local languages. It was for these reasons that the Administering Authority decided to retain on a secondment basis from the Northern Region Government the services of such numbers of officials (British as well as Nigerians) as were required for the administration of the Northern Cameroons. Their numbers, although limited during the period when the Territory was administered as a part of the Northern Region, had to be supplemented by additional staff when the administration of the Northern Cameroons was constituted as a separate unit with its own administration. These officials, including the newly appointed Resident, were also seconded to the Northern Cameroons from the Northern Region Government.

"421. It was inevitable that the links of the above officials with the Northern Region Government, which most of them had served for some years past, as well as their known sympathies towards Nigeria, would open the door to suspicion of partiality and become the subject of bitter complaints from the

parties which favoured union with the Republic of Cameroon. However, no specific evidence of impropriety was brought to light."

15. In no case was a British official replaced by a Nigerian official. All the administrative officers in charge of divisions and sub-divisions were United Kingdom nationals. All superior police officers were United Kingdom nationals. The Resident, to whom the Government of Cameroun refers specifically, is on loan from the Government of Northern Nigeria in the same way as the other officers concerned, and, like them, comes under the direct orders of the Administrator, who is responsible directly to the United Kingdom Government. His salary, like that of the rest, is borne by the United Kingdom Government and not, as the Government of Cameroun alleges, by Nigeria.

16. The position concerning judges is that in the whole of the Northern Cameroons there are thirty-three Native Courts, of which twenty-six are composed entirely of Cameroonians. There are six non-Cameroonian Alkali; of these the Provincial Alkali is a Nigerian. In the Dikwa Division and Southern Trust Divisions all the Alkali and court officials are Cameroonians with one exception in each division, both of whom are from Nigeria. In the Northern Trust Division all except three Alkali are Cameroonians. Of these three, one is from the Republic of Cameroun and two from Nigeria. All three have lived in the Northern Cameroons for many years and are regarded as local people. During the course of the campaign, there were also appointed three special magistrates from the United Kingdom with particular responsibility for cases which might have arisen in connection with the plebiscite: the circumstances are described in paragraph 468 of the report of the United Nations Plebiscite Commissioner.

**(Page 7)**

17. The Government of Cameroun alleges that the criterion of ordinary residence prescribed by the General Assembly as the basis for registration favoured Nigeria.

*Comment*

18. The meaning of this criterion is explained by the United Nations Plebiscite Commissioner in paragraphs 375-376 of his report. It was also explained fully to the General Assembly of the United Nations and discussed by the Fourth Committee before the resolution was adopted unanimously in December 1959; it is in conformity with Article 76 b of the United Nations Charter, which refers to the "freely expressed wishes" of the inhabitants, and it was the same criterion as that used in the 1959 plebiscite.

**(Page 7, 3rd para.)**

19. The Government of Cameroun also alleges that the lists of voters "were not compiled under direct and effective supervision by the United Nations" and that "potential voters for reunification with Cameroon were systematically left off the rolls drawn up by Chiefs of Nigerian allegiance."

*Comment*

20. The registers were not drawn up by chiefs but by assistant registration officers. About these officers the United Nations Plebiscite Commissioner says in paragraph 368 and 369 of his report:

"368. To carry out the registration of voters in the 346 registration areas of the Northern Cameroons, the Administration required a total of 430 assistant registration officers. These officials were recruited from within the Trust Territory with the exception of twenty-five students of the Numan Teacher Training College which is situated in Adamawa Province in the Northern Region of Nigeria, but it is worthy of note that half their number were indigenous to the Northern Cameroons. The assistant registration officers were recruited from the various educational establishments inside the Territory including the staff and pupils of the teacher training colleges at Baissa and Mubi, of the senior primary schools, and teachers from the various Native Authority and voluntary agency schools.

"369. Since it was the first time that women had been given the right to vote in the Northern Cameroons, the Administration made every effort to recruit suitably qualified women to serve as assistant registration officers and thus to lend encouragement to potential women voters to come forward to register. A total of twenty-five women served as registration officials in the various districts in the Northern Cameroons, and United Nations observers and Administration officials alike attested to their efficiency and effectiveness."

21. As to the charge that the lists were not compiled under effective supervision by the United Nations, the Plebiscite Commissioner writes, in paragraph 379:

"The registration itself was well conducted over the whole of the period. With the vigilance of registration officers and United Nations observers and with the aid of the registration supervisors, who were normally assigned to oversee the personnel in three to five registration areas, most of such minor errors as the omission of names and faulty serialization of registration numbers were corrected."

There was a system of appeals laid down, the details of which are in paragraphs 384-388 of the report of the United Nations Plebiscite Commissioner. In paragraph 384 he writes:

"A total of 18 appeals was submitted under the terms of this regulation, of which one was made in Mubi and 17 others in the United Hills plebiscite district. All appeals presented under this regulation were against refusal to register on the grounds of residence. The 18 appeals were allowed and the names of the appellants were included in the final list."

No objections were made to any names appearing on the list.

**(Page 8, 1st para.)**

22. The Government of Cameroun suggests that the 170 per cent increase in the electoral roll in the two centres of Dikwa North and Central combined over the 1959 plebiscite roll is evidence of the enrolment of recent immigrants and temporary residents favourable to Nigeria.

*Comment*

23. In Dikwa Central, where the largest increase in registration took place, it is clear from paragraph 443 of the Plebiscite Commissioner's report that there was very great political interest in the campaign and

active political campaigning on both sides. The result, however, was only rather narrowly in favour of Nigeria. There is nothing discreditable about the heavy registration in this district. The aim of the Administering Authority was to secure as large a registration as possible throughout the Territory, particularly in order to encourage women to vote for the first time. It should be noted that in Dikwa Central 4,000 more women than men voted; these could not have been "recent immigrants and temporary residents". No evidence has been produced that persons not entitled to register in fact did so and no complaints to this effect were made.

(Page 8, 2nd para.)

24. The Government of Cameroun alleges that voters' cards were distributed "by paid agents of the Nigerian Government".

*Comment*

25. No paid agents of the Nigerian Government had any opportunity of distributing voters' cards. The voters' cards were distributed by the assistant registration officers, who were almost entirely inhabitants of the Northern Cameroons (see paragraph 368 of the United Nations Plebiscite Commissioner's report). This was in accordance with paragraph 7 of the Northern Cameroons Plebiscite (Registration) Regulations 1960 (annex XVII to the report of the United Nations Plebiscite Commissioner), which lays down in detail how persons were to be registered and cards issued.

(Page 8, 3rd and 4th paras.)

26. The Government of Cameroun complains that persons wishing to protest to the United Nations observer at Mubi were prevented from doing so for fear of reprisals, and that the police interrogated those who did so.

*Comment*

27. Neither the United Nations observer nor any resident of Mubi made any such complaint to the Administrator or his staff. The United Nations Office in Mubi, together with that of the Administrator, the Resident and the District Officer, had all been constructed specially for the administration of the plebiscite, and were therefore naturally close together and on an open site. There is no foundation for the suggestion that the police interfered in any way with access by inhabitants of the Trust Territory to the United Nations Plebiscite Commissioner or the observers.

(Page 9, 1st para.)

28. The Government of Cameroun complains that "provocations, arbitrary arrests and reprisals were the lot of all active supporters of reunification. Hundreds of cases are claimed to be known of persons arrested and imprisoned because of their political opinions on pretext of some minor offence".

*Comment*

29. The Cameroun allegation is very greatly exaggerated; the number of arrests which could possibly be described as "political" in nature was very small.

The United Nations Plebiscite Commissioner in paragraphs 452-457 of his report deals with the question of arrests in great detail. It will be observed that on 11 November, Malam Omaru Michika, President of the KFP, made an allegation that the prison had been filled with people because of their political associations. He was asked for the prisoners' names, but was unable to provide any. He then asked permission to visit the jail so that he could find out who they were. Malam Omaru Michika visited the jail and produced a list of seven cases. In addition, more names were added, bringing the total to twelve. Of these only seven cases of imprisonment could possibly be considered to have arisen from offences having any political connotation.

30. The Plebiscite Commissioner describes, in paragraph 461 of his report, an investigation carried out by the United Nations Liaison Officer at Mubi, together with the Resident and Malam Yero, the representative of the Government of Cameroun, into all prisoners at that time in Mubi jail. Malam Yero visited the jail to interview these prisoners, and on the basis of these interviews, a list was prepared showing that there were only 15 cases of offences in connection with political meetings. The Plebiscite Commissioner adds, in paragraph 462:

"According to the report of the Senior District Officer, at the conclusion of the questioning Malam Yero expressed himself as being satisfied that the persons concerned had been imprisoned on reasonable and legitimate grounds, and only requested that the four prisoners awaiting trial should be brought before the Courts as soon as possible. This, the Senior District Officer assured him, would be done. Malam Yero also warned three of the prisoners he had seen that since permits were required to hold political meetings, they should have observed the law. He told them that similar laws in respect of public meetings existed in the Republic of Cameroun and asked the three persons concerned to convey what he had said to the other prisoners."

31. The forty-three persons referred to by the Cameroun Government as being reported to the United Nations observer at Mubi on 24 January and whose names are listed on page 27 of their pamphlet are dealt with by the Plebiscite Commissioner in paragraph 475 of his report. An analysis of these names and other names submitted, making a total of 58, showed that, at the time of the plebiscite 20 of these persons were, in fact, in prison and of these 7 were imprisoned on convictions which had no political significance (paragraph 477).

32. The complaints of arrests came almost entirely from the Madagali, Michika and Mubi Districts of the Mubi Native Authority where the parties favourable to reunification with the Cameroun Republic had consistently shown themselves as contesting the lawful authority of the newly constituted Native Authority and of the Native Courts. The 35 persons reported on 29 January 1961 mentioned in the pamphlet as arrested are referred to in detail in paragraphs 471 and 472 of the Plebiscite Commissioner's report. This was a serious case of unlawful assembly as it necessitated the sending of a superior police officer and a half-unit of police, together with the Senior District Officer, to Michika to deal with it. Of these persons 4 were imprisoned and the remainder fined.

(Page 9, 3rd para.)

33. The Government of Cameroun also complains that over 300 supporters of reunification belonging to the Kamerun Freedom Party and returning from the Kamerun Union Congress at Maroua were arrested. This allegation is not true and it will be observed that the Plebiscite Commissioner, in his report, makes no reference to it.

(Page 10, 1st para.)

34. The Government of Cameroun complains about the absence of freedom of speech, saying that Government permission had to be obtained to hold a public meeting, and that this was "readily granted to the pro-Nigerian Parties" but "offered grudgingly to the pro-Cameroon supporters."

*Comment*

35. The question of permits for public meetings is dealt with in paragraphs 480-489 of the United Nations Plebiscite Commissioner's report. In those paragraphs he describes how a directive was issued by the Administrator, requiring Native Authorities to grant a permit for any public assembly unless they were satisfied that a breach of the peace was likely to arise. Of the period after this directive was issued, the United Nations Plebiscite Commissioner reports in paragraph 486:

"There continued to be a few instances in which permits were refused, sometimes for valid reasons, e.g. to hold meetings on market days in or near the market places. In addition, a few permits were refused because the applications were either vague or contained requests for meetings to be held on more than one day. In those cases where the reasons for refusal were different from those set out in the proclamation, representations were made and, usually, following an investigation, the permits were granted."

It is true that of these few instances in which permits were refused, more related to applications by the NKDP/KFP than to applications by the other parties. This in most cases is because these applications did not follow the prescribed procedure, although this was quite familiar to the applicants. In this connexion it should be noted that no permission needed to be sought for meetings other than those held in public places. There was no requirement of permission for meetings in private places and no restriction on the number of persons who could attend these meetings. Very many such meetings took place and were attended by anything up to about 200 persons at a time.

(Page 10, 1st para.)

36. The Government of Cameroun complains that no posters could be distributed or displayed, that party propaganda had to be printed in Nigeria and that material from the Republic of Cameroun was refused admission by the authorities.

*Comment*

37. The United Nations Plebiscite Commissioner deals with the question of political publications in paragraphs 490-498 of his report. In paragraph 491 he describes how, as a result of a complaint by the NKDP, he agreed with the Administrator that only parties registered in the Northern Cameroons or persons eli-

gible to vote in the plebiscite would be entitled to distribute propaganda posters and leaflets. He adds that subsequently all posters favouring union with Nigeria were properly identified with the name of the printers and the sponsors. In the case of some posters favouring union with the Republic of Cameroun this was not so. It is not the case that documents had under the law or in practice to be printed in Nigeria, and that material from the Republic of Cameroun was refused admission; the only requirement under the law was that posters should bear the name of the printer and the publisher and that persons wishing to publish matter of a political nature should notify the Administrator and deposit with him copies of the text. This law was not intended for purposes of censorship; as the United Nations Plebiscite Commissioner says in paragraph 497, "no charges of censorship were ever made." The Administrator personally advised officials of the NKDP/KFP how they could comply with the law and in fact large numbers of posters printed in the Cameroun Republic did circulate in the Territory. The allegation that material from the Republic of Cameroun was forbidden may have arisen from the incident referred to in paragraph 498 of the report of the United Nations Plebiscite Commissioner. In this case a poster published by the NKDP/KFP and printed in the Republic of Cameroun, but not deposited with the Administrator in advance, was withdrawn at the request of the Administrator on the grounds that it could be used to mislead the population.

(Page 10, 2nd para.)

38. The Government of Cameroun alleges that freedom of movement was greatly restricted during the campaign for all vehicles not registered or insured in Nigeria.

*Comment*

39. Although it is true that under the law as it stood at the beginning of the campaign, vehicles from the Republic of Cameroun were required to carry third party insurance and registration in the Trust Territory, no vehicle was at any time during the plebiscite campaign prevented from entering the Trust Territory because it lacked these documents, with the single exception of one car that had been involved in an accident. Nevertheless, as soon as the Administrator's attention was drawn to the fact that the law might impede the entry of vehicles, even though it had never been applied for this purpose, he took steps to promulgate the law described in paragraph 500 of the report of the Plebiscite Commissioner, which removed these requirements. This had been done, as the Plebiscite Commissioner makes clear in his report, before the latter made representations on the subject.

(Page 10, 3rd para.)

40. As to the complaint made by the Government of Cameroun that merchants refused to sell gasoline to vehicles campaigning for reunification, one case of this kind was reported, corrective action was taken and no further complaints were received.

41. On the general question of complaints made that movement into and out of the Territory was restricted, the United Nations Plebiscite Commissioner states, in paragraphs 501 and 502 of his report, the following:

"501. . . . The United Nations Liaison Officer in Mubi, for his part, reported that he had passed through the frontier between the Territory and the Republic along the road from Mubi to Garoua on at least six occasions and that he had visited the border on at least four other occasions, and that he had not noted any police officers or other authorities posted for the purpose of stopping vehicles. Neither I nor United Nations officials who travelled repeatedly on the road from Mubi to Garoua found a checkpoint on the Northern Cameroons side of the border.

"502. With regard to the complaint . . . that persons from the Republic of Cameroun were not freely admitted to the Northern Cameroons, it should be noted that a similar statement had previously been made by persons from within the Territory as well. These complaints were brought to my attention and that of the United Nations Liaison Officer in Mubi, and no evidence was found that the free movement of persons into and out of the Territory had been impeded. In fact, during the period when these complaints were investigated the Mayor of Garoua was moving freely about the Territory, even prior to his accreditation as Liaison and Information Officer from the Republic of Mubi."

**(Page 11, 2nd-4th paras.)**

42. The Government of the Cameroun alleges generally that Nigerian and British officials and agents intimidated the population in favour of union with Nigeria.

*Comment*

**(Page 11, 5th para.)**

43. As far as officials are concerned, this is dealt with in paragraphs 420 and 421 of the report of the Plebiscite Commissioner, which is quoted in paragraph 14 above. He also deals in paragraph 442, with the incident described by the Government of Cameroun as taking place on 3 February during a tour by the Resident amongst the Bama Arabs at Siguel. This one specific instance is without foundation; a full investigation was made into the charges and the circumstances are described in detail in annex I below.

**(Page 12, 3rd para.)**

44. The Government of Cameroun alleges that on 8 February all individuals from the Republic of Cameroun were invited to leave the Trust Territory, while numbers of Nigerians were admitted with instructions to step up the psychological pressure.

*Comment*

45. This allegation of discrimination against the Republic of Cameroun is untrue. Identical letters were addressed to the representatives in the Territory of both Governments, inviting them to withdraw on the date in question personalities from outside the Territory who had been advising the parties in the campaign. As explained in the two letters, in addition to the official representatives on each side, one personality and six press and radio representatives were permitted to remain. Both Governments were treated equally and each representative was informed that an identical letter was being sent to the other. A copy of the letter

addressed to the representative of the Cameroun Republic is attached as annex II. Both sides complied with the letter and neither made any complaint.

**(Page 12, 3rd para.)**

46. The Government of Cameroun alleges that three days before the plebiscite 700 armed police were brought into the Trust Territory from Nigeria to persuade the population that "unless they voted for Nigeria they were liable to be arrested, persecuted and forcibly removed." The Government of Cameroun also alleges that "troop reinforcements" were sent.

*Comment*

47. This allegation is totally untrue, as is clear from paragraph 436 of the report of the United Nations Plebiscite Commissioner. A total of 15 police were brought into the Territory during January 1961 to bring the establishment up to the agreed figure of 172 for the whole Northern Cameroons. No other police were brought in at all. At no time were any army personnel present in the Northern Cameroons, with the exception of the detachment of 101 signals officers and men supplied by the Nigerian army at the express request of the United Nations Plebiscite Commissioner for purposes of radio communication during the voting and counting periods. These units had been present in a similar capacity during the 1959 plebiscite; they performed no other duties than those of communications and carried no arms.

**(Pages 13-14)**

48. The Government of Cameroun makes a number of allegations concerning irregularities in the conduct of the poll itself.

*Comment*

49. Concerning this question, the United Nations Plebiscite Commissioner, in paragraph 588 of his report, states categorically:

"I am satisfied that polling proceeded in an orderly and correct manner and that the provisions for the security of the ballot boxes, which I had the opportunity to inspect personally at Mubi, were completely adequate."

In paragraph 586 he writes:

"Polling on both days proceeded in an exemplary manner and, with the exception of minor errors made by presiding and polling staff at a few of the polling stations, voting proceeded without major incidents. Observers reported that at practically all polling stations polling agents, appointed by the two groups of parties contending in the plebiscite, were present throughout the two days and in each case expressed themselves as being satisfied with the conduct of the poll."

**(Page 13, 1st para.)**

50. In particular, the Government of Cameroun alleges that officials known to favour integration with Nigeria were carefully selected to preside over the polling booths, that nearly all of these were Nigerians and that they were given special briefing for a week before the plebiscite.

*Comment*

51. The manner in which the presiding and polling officers were recruited is described in paragraph 574 of the report of the United Nations Plebiscite Commissioner, which reads as follows:

"A total of 760 presiding and polling officers were recruited from within the Northern Cameroons, with the exception of twenty-five students from the Numan Teacher Training College in Adamawa Province of the Northern region of Nigeria. Of the latter, some were residents of the Northern Cameroons. Although I had requested the Administrator in so far as possible to recruit staff from among qualified persons in the Northern Cameroons, I raised no objection to the employment of these twenty-five students because these men's previous experience and their knowledge of the difficult Mambilla plateau could most usefully be employed during the polling period. The presiding and polling officers were recruited from among senior and junior primary school teachers, mission school teachers and pupils who had completed standard IV or above. Training courses were held at each of the returning officers' headquarters, lasting over periods of from eight to nine days. These courses were begun on 28 January and lasted until 6 February. During the training courses, these officials were instructed in the construction of polling stations, the mechanics of polling, and their duties concerning the delivery of ballot boxes to the counting centres, and were issued written instructions."

In paragraph 604 the Plebiscite Commissioner observes:

"Particular credit is due to the Deputy Plebiscite Administrator, the Assistant Plebiscite Administrators and the Plebiscite Supervisory Officers for the effective training and supervision they provided which enabled the registration and polling staff to contribute in no small measure to the successful conduct of the plebiscite."

It will be seen that approximately 98 per cent of the presiding and polling officers were drawn from the Northern Cameroons.

**(Page 13, 2nd and 3rd paras.)**

52. The Government of Cameroun alleges that voters at the polling stations were intimidated by "Nigerian police", and that this was facilitated by the bad construction of the polling booths and by the arrangement for the voting to take place on two consecutive days instead of on one day.

*Comment*

53. The polling stations were constructed to a standard design; their construction made it impossible for anyone to see inside the polling booths; no police were anywhere permitted inside the polling stations. At a great majority of polling stations there were no police present at all; in one or two cases where police were used at the polling stations, such police were Native Authority Police (i.e. Northern Cameroonians) and not Trust Territory Police (i.e. Nigerian Police on loan to the Trust Territory Administration). It must be recalled that in the entire territory of the Northern Cameroons the total number of police at the time of the plebiscite was 391 (167 Nigerian Police hired for

service in the Northern Cameroons, 45 in the Native Authority Police training unit and 179 other Native Authority Police; the latter 224 were Northern Cameroonians). It would therefore have been quite impossible for these to have exercised a significant influence on 378 polling stations, even if they had been present to do so.

54. The reasons for voting on two days in the Northern Cameroons are set out by the United Nations Plebiscite Commissioner in paragraphs 554-556 of his report. In paragraph 556, he writes:

"In order to enable the largest possible number of inhabitants, particularly the recently enfranchised women, to participate in the plebiscite, and wishing to avoid the introduction of polling staff from outside the Trust Territory, I agreed to the extension of the polling period from one to two days, provided that the Plebiscite Administrator could assure me concerning the safety of the ballot boxes during the night separating the two polling days. The assurances subsequently given to me were entirely satisfactory, and the Plebiscite Administrator designated 12 February 1961 to be an additional polling day."

The purpose of this provision, therefore, was to enable the largest possible number of women to take part in the plebiscite in accordance with the wishes of the United Nations General Assembly. There was in fact a wide popular demand for this arrangement. There was no regulation to the effect that women should vote on a different day to men.

**(Page 13, 5th para.)**

55. The Government of Cameroun alleges: "There was a crushing majority of Nigerians and representatives of pro-Nigerian parties appointed as members of the voting commissions—in some cases five Nigerians to 1 Cameroonian".

*Comment*

56. This is incorrect. The method of selecting the Presiding and Polling Officers is described in paragraph 51 above. The vast majority of them were Cameroonians and they were chosen by the Plebiscite Administrator's staff mainly from teachers and pupils, on grounds of their competence to do the work. The other staff at the polling stations were polling marshals and female searchers, who were all Cameroonians.

**(Page 13, 4th para.)**

57. The Government of Cameroun complains that the rules for the plebiscite did not provide for minutes of proceedings in which grievances could be entered.

*Comment*

58. The Plebiscite Regulations, approved by the United Nations Plebiscite Commissioner, were substantially similar to those for the Southern Cameroons plebiscite and had been studied by him together with those, with a view to obtaining the largest possible degree of uniformity (paragraph 539 of his report). Provision was made in them for complaints about the conduct of the voting to be made in the form of voting petitions. Not a single voting petition in respect of the North was received under these regulations (paragraph 598 of the report).

**(Page 13, 4th para.)**

59. The Government of Cameroun alleges that some of the ballot-boxes arrived sealed and that voters were not called upon to note that they were empty before voting began.

*Comment*

60. Under the regulations all polling boxes had to be shown empty and open to the polling agents appointed by the two parties before voting began. No complaints have been received by the Plebiscite Administrator that this was not done.

**(Page 14, 1st para.)**

61. The Government of Cameroun alleges that press representatives of the Republic of Cameroun were refused the right to speak to anyone, or even to go into the booths to verify that both the ballot-boxes were there.

*Comment*

62. In order to maintain the secrecy of the poll, no one except plebiscite officials and United Nations observers, and the polling agents appointed by the parties, were allowed to go into the booths. The press representatives of the Republic of Cameroun were in fact active members of the campaign force of the parties who advocated reunion with the Republic and it is understood that they were deputies in the Parliament of the Cameroun Republic. The United Nations Plebiscite Commissioner writes in paragraph 512 of his report:

"However, I agreed to the Administrator's suggestion that each of the two Governments concerned be invited to designate six press representatives to come to the Territory to witness the polling and counting of the ballots. Accordingly, invitations were sent by the Administrator to both Governments and so far as I am informed, the Republic of Cameroun sent one representative to each of the areas in which a counting centre was located. The Government of the Federation of Nigeria, for its part, limited itself to sending a few cinecamermen and photographers to the Territory."

**(Page 14, 2nd para.)**

63. The Government of Cameroun alleges that the black ballot-boxes were put at the front of the booths and the red ones at the back, thereby favouring Nigeria.

*Comment*

64. In paragraph 582 of his report, the United Nations Plebiscite Commissioner describes the siting of the ballot-boxes as follows:

"During their course of training, polling staff were instructed in the construction of polling stations and each was provided with a construction plan which required that the stations were built on an axis between the borders of the Republic of Cameroun and the Federation of Nigeria and that the ballot-boxes were placed in the respective directions. In this way, a total of 378 polling stations were erected in the 246 registration areas of the Northern Cameroons in locations which had previously been sited by the returning officers. The polling staff was also provided

with all necessary equipment called for in regulation 7, before being sent to their stations."

No complaints were made about this arrangement.

**(Page 14, 2nd and 3rd paras.)**

65. The Government of Cameroun describes an incident at Za in which, it alleges, a pro-Nigerian was allowed to put into the box a set of papers he had found on the ground.

*Comment*

66. This incident was dealt with in accordance with the plebiscite regulations and the facts are described in annex III. This was the only incident of the kind in all the polling stations.

67. The Government of Cameroun complains that the days appointed for the ballot were marked by "continual provocations and arrests, with stones and insults levelled at Cameroon supporters".

*Comment*

68. The United Nations Plebiscite Commissioner observes in paragraph 586 that polling on both days "proceeded in an exemplary manner and . . . without major incidents". There were, in fact, no more than one or two persons arrested as a result of disturbances during the days of polling.

**(Page 14, 5th para.)**

69. The Government of Cameroun alleges that the security arrangements for the ballot-boxes were inadequate.

*Comment*

70. In paragraph 588 of his report, the United Nations Plebiscite Commissioner states that he is satisfied that the provisions for the security of the ballot-boxes were completely adequate. Although there was no provision for the polling agents representing the parties to spend the night on the premises where the boxes were kept, they were entitled to affix their own seals to the boxes, and, as the Plebiscite Commissioner says in paragraph 589 of his report, in some cases they did sleep outside the buildings where the boxes were stored. The account given of the demonstration of the sealing process in the presence of the Secretary-General for Foreign Affairs for the Republic of Cameroun is inaccurate. The box which was successfully opened by the representative of the Cameroun Government had not been properly tied and sealed, as he himself pointed out at the time.

**(Page 15, 4th-6th paras.; page 16, 3rd para.)**

71. The Government of Cameroun alleges that the numbering of the ballot-boxes by the United Kingdom authorities and the United Nations observers was done without supervision by any representative of the parties and that the counting agents were therefore unable to know where the boxes had come from. They also complain that the party representatives were not able to identify the polling centre from which each box came and were therefore unable to check the actual count of the votes. They allege that the failure to proclaim the results by polling stations "demonstrates the deliberate determination to shuffle the cards and so to make any counterchecks impossible that would have revealed

what malpractices had marked the various stages in voting”.

*Comment*

72. The counting arrangements are described in paragraphs 589 and 590 of the report of the United Nations Plebiscite Commissioner, where he writes:

“Only the returning officers and the United Nations observers were in possession of the codes and knew the number belonging to a particular polling station. The counting agents, although able at all times to satisfy themselves of the accuracy of the count, could not identify a particular polling station as such. During this procedure the counting agents were located at a point close enough to them to observe the coding operation by the returning officer and the United Nations observer, but not close enough to be able to identify the code number with its polling station. Once the foregoing operation was completed, the opening of ballot-boxes, the counting and all other procedures were fully witnessed by the counting agent.”

From the point of view of observing the secrecy of the vote, it was considered necessary that the representatives of the parties should not be able to determine the number of votes cast for their party at each polling station. For the same reason it was agreed by the United Nations Plebiscite Commissioner (paragraph 545 of his report) that the voting figures for each polling station should not be separately proclaimed.

**(Page 15, 5th para.)**

73. The Government of Cameroun alleges that the counters, being of British nationality, would be biased in favour of “integration with Nigeria and the retention of Northern Cameroon inside the Commonwealth”.

*Comment*

74. Apart from the fact that the counting agents appointed by the parties were able at all times to satisfy themselves of the accuracy of the count, the United Nations Plebiscite Commissioner makes the following observations on the selection of counting officers in paragraph 576 of his report:

“Those selected for this important function had for obvious reasons to be selected from amongst non-Cameroonians. Also excluded by common consent were those officials who were primarily charged with the administration of the Territory. In the circumstances, the field of choice was narrowed to technical or contract officers and their wives. In some instances priests and missionary staff were selected to serve. At one counting centre, for example, the counting officers included a priest of the Roman Catholic Church, a nursing sister, two professional engineers and a doctor of medicine.”

It should be noted that the same arrangements were made for the selection of counting officers in the Southern Cameroons plebiscite, where of course the vote came out in favour of the Republic of Cameroun.

**(Page 15, 2nd para.)**

75. The Government of Cameroun finds it surprising that the counting of the votes should have taken three days and implies that this delay provided opportunities for malpractices.

*Comment*

76. The procedure for counting votes, involving first the transportation of the ballot-boxes to counting centres from polling stations often remote from roads, and the subsequent elaborate procedures designed to ensure the security of the count, as described in the report of the United Nations Plebiscite Commissioner, is a lengthy operation, and in fact was completed in a considerably shorter time than had been anticipated. It should be noted that in the Southern Cameroons, the counting process took four days and the result was not available until 16 February.

**(Page 18, 5th para.)**

77. In their “general observations and conclusions”, the Government of Cameroun asks what happened to the unused voting papers remaining in the hands of the presiding officers.

*Comment*

78. Unused voting papers were returned to the counting centres under seal. At the counting centres, they were counted, and the totals reconciled with the counted, used, ballot papers. This is part of the elaborate checking procedure necessary in any fairly conducted election.

## CONCLUSIONS

**(Page 17, 5th para.)**

79. On pages 16-21 of its pamphlet, the Government of Cameroun sets out some general observations and conclusions, nearly all of which are repetitions of the allegations referred to above. It is not necessary therefore to comment further on these except in one case. Paragraph (c) of this part of the pamphlet states:

“The unwarranted use made of armed forces and police from the Northern Region of Nigeria three days before the plebiscite was admitted by the representative of the administering authority in North Cameroon.”

This presumably refers to the allegation discussed in paragraph 47 above that 700 armed police were brought into the Northern Cameroons from Nigeria three days before the poll. No such admission was made by any representative of the Administering Authority, because, as explained in paragraph 47, it is quite untrue that police reinforcements of this kind were brought into the Territory. Nor at any time during the entire plebiscite campaign were any armed military forces present in the Northern Cameroons. The paragraph also states:

“It is impossible to talk of self-determination when voters go to the polls at bayonet point.”

Such a statement is completely unjustified in relation to the Northern Cameroons. The United Nations Plebiscite Commissioner has paid a tribute to the people of the Northern Cameroons for the enthusiasm and interest which they displayed during the plebiscite and for the disciplined manner in which they conducted themselves on both polling days. Not a single shot was fired and not a single bayonet used.

80. Finally, the Government of Cameroun affirms on page 19 that they have no intention of casting any doubt on the integrity of the administering power, and on page 20 that there is no question of their criticism being directed at the United Nations observers, who

have their full sympathy and esteem. Yet in the letter from Mr. Ibrahim Abba and Mr. Samwe, the leaders of the KNDP and KFP, which forms the final annex to the pamphlet published by the Republic of Cameroun, it is said that:

"The activities of the United Nations officials during the plebiscite in the Northern Cameroons, cause for our protestation in most energetic terms, places us in an embarrassing position; amazes us and makes us desire to know if the United Nations organization is a pivot for world peace or if, after the fashion of this example of the activities of the Observers of the Plebiscite and the Administrator at Mubi, it is a clique of diplomats whose aim is to provoke discontent and to excite violence between the interested parties."

The letter goes on to appeal for support at the United Nations:

"in order to stigmatize the intrigues of the British imperialists, who, acting under the protection of the United Nations team that Mr. Williams had the honour to lead, were appointed to partition the country of our ancestors and to subject it to Nigeria as the reward for the economic penetration of Great Britain".

The United Kingdom finds it difficult to interpret this petition other than as an attack on the integrity of itself and of the United Nations.

81. On page 20 of the pamphlet it is said:

"The Republic of Cameroun hopes that its voice will be heard on the fundamental problem of this arbitrary division of its territory still under United Kingdom trusteeship in South and North Cameroons."

As Administering Authority, the United Kingdom Government feels bound to point out that, until the Trusteeship Agreement is terminated, the obligations of the United Kingdom to the people of the Territory, in accordance with Article 76 of the Charter, remain. The United Kingdom Government has been concerned, in co-operation with the United Nations, to provide conditions under which the people of the Northern Cameroons, like the people of the Southern Cameroons, can determine, as the General Assembly decided that they should, which of two neighbouring independent States they wish to join. This process was conducted under the supervision of the United Nations Plebiscite Commissioner, whose report is now before the United Nations. The Southern Cameroons chose to join the Cameroun Republic and the Northern Cameroons chose to join Nigeria.

#### *Comments on the annexes to the Cameroun pamphlet*

82. On page 22, the Government of Cameroun publishes a map which purports to be a map of the Cameroons under United Kingdom trusteeship. This map is not dated. It shows the Northern Cameroons administered as part of three different provinces of Northern Nigeria. Since July 1960, and as part of the administration separation recommended in General Assembly resolution 1473 (XIV), the Northern Cameroons has constituted a separate province, and has not been administered as part of any province of Northern Nigeria. Moreover, this map shows the Southern Cameroons to be administered as part of the Eastern Region of Nigeria. This has not been the case since

1954, when the Southern Cameroons Government was established separately from the Regional Government of Eastern Nigeria.

83. On pages 23-25 of the Cameroun pamphlet, there is set out a table purporting to show "Arrangements made to ensure administrative separation between the Cameroun under British trusteeship and Nigeria". In column A are listed the constitutional provisions in respect of the Southern Cameroons. Under column B, headed "Northern Cameroon", there is a series of blanks, suggesting that no corresponding provision was made in the case of the Northern Cameroons. This is quite untrue, and in annex IV below is reproduced the table as it should read. A few corrections have been made to the statement of the position in the Southern Cameroons, and an accurate statement included of the corresponding constitutional provisions in the Northern Cameroons.

84. On page 26 of the pamphlet, there is an annex containing some names of Nigerian civil servants working in the Northern Cameroons at the date of the plebiscite, and pages 27 and 28 refer to alleged arrests. These matters are dealt with in the comments above and no further comments are called for here.

85. Pages 28-44 contain a collection of "testimonies", consisting for the most part of complaints by individuals. It is not made clear when or where or to whom these complaints were made. It was open to any person who wished to complain about matters such as those covered by these complaints to submit a voting petition under the Northern Cameroons Plebiscite (Voting Petitions) Regulations 1961. Alternatively, any persons wishing to complain of such matters could have submitted their complaints to any of the United Nations observers, so that account could be taken of them by the United Nations Plebiscite Commissioner in preparing his report. Clearly, it would not be appropriate in this memorandum to comment on these individual complaints.

86. The communication dated 17 February from the National Secretariat of the KNDP in the Northern Cameroons was addressed to the United Nations Plebiscite Commissioner and does not appear to call for comment here.

## ANNEX I

### **The Siguel incident**

The Government of Cameroun complains as follows (*page 11*):

"On Friday 3rd February, during a tour among the BAMA Arabs, the MUBI Resident sent for all the inhabitants of the villages he passed through and of neighbouring villages, in order to arrest any who had gone into Cameroun territory to greet the President of the Republic as he passed through AFADE. After threatening to put all the others in prison, he publicly warned the population against any propaganda in favour of reunification.

"The Chiefs of any villages voting against integration were threatened with punishments, and certain individuals in the villages visited who were known to have pro-Cameroun sentiments were publicly humiliated and punished. These facts were brought to the notice of the United Nations Commissioner, but no enquiry was made among the people concerned. When the matter was brought to the notice of the Resident, he merely denied the accuracy of the reports. During their official rounds the Resident and his District Officers quite properly explained the implications of the plebiscite to the population, but also commented on the

statement issued by His Excellency the Federal Prime Minister of Nigeria and painted a very sombre picture of conditions in the Republic of Cameroon. They even went so far as to compare a vote for reunification to a vote for France, the atom bomb, and continuance of the war in Algeria, together with other insinuations having only a very remote bearing on the plebiscite, though of indisputable propaganda value."

A copy of the complaint made to the United Nations Plebiscite Commissioner was handed to the Administrator by the Cameroun Republic Liaison Officer, Malam Mamadou Bako, on 8 February. An English translation of this document is as follows:

"The Resident of Mubi, touring in the Dikwa area, visited Siguel on Friday, 3rd February, towards 1.30 p.m., accompanied by the District Officer of Bama. On his arrival in the locality he ordered an assembly of the inhabitants of the village and neighbouring villages in front of the Courthouse of the Lawane and in the presence of the Chief of the District of Raan. The Resident straight away proceeded to call on those who would have attended the arrival of the President of the Republic at Afade. After having threatened those with imprisonment and intimidating the crowd gathered in the square he warned against all propaganda in the nature of advice to vote against Nigeria. In effect, punishments were promised to the Village Heads of those villages voting for the Cameroon Republic. However, a few persons from the village of Siguel declared hostile to Nigeria have received corporal punishment, have been intimidated and humiliated in front of the crowd. Aussile, Chief of the District of Raan, received order to arrest three persons manifestly hostile to integration with Nigeria, among whom is the uncle of Deputy Gueime Garba. In conclusion everything which precedes the passing of the Resident in the Dikwa sector, and particularly in the District of Kala Balgue, has caused terror to most of the persons who have decided to remain with us. We have sent a letter of protest to the U.N.O. Observer at Dikwa against this abuse of authority of which the Resident himself fails to see the grave consequences."

It will be observed that the specific complaint of the occurrences on Friday, 3 February, has in the pamphlet been extended from the village of Siguel to all the villages of the area, and all the specific statements on which the original allegations were based have been omitted. The accusation as laid by the Liaison Officer was investigated by the Administrator and there is ample evidence to show that, while the Resident of Mubi accompanied by the District Officer of Bama did visit Siguel on Friday, 3 February, he did not arrive in the village until 4.30 p.m. and not at the time stated in the complaint. Shortly after this the Resident held a private meeting in his lodging with the District Head, Barma Adam Shuwa. The purpose of this meeting was to confirm the appointment of the Shuwa representative with Dikwa Native Authority. It was not until 7 p.m. that the Resident addressed a small village meeting at the market. It was well after dark and a group of youths were practising Karonic verses by the light of a corn stalk fire. The District Head, Barma Adam Shuwa, called as many persons as he could get at short notice to hear the Resident's message. About thirty people attended the meeting including the elected representative for the Raan district, Mai Tom and the Lawan of Siguel. The evidence shows that the Resident explained simply the reasons why all electors should make every effort to cast their votes and what issues were at stake. There was no question of intimidation and no one was called before the crowd. The meeting did not last for more than about ten minutes and immediately it closed the Resident and the Senior District Officer left by canoe to be ferried across the river and left the area by landrover.

The District Head, Barma Adam, has made the following statement with regard to what the people were told at Siguel:

"When the Resident Mubi went to Siguel what he told the people was this. 'You the people of Rann are lucky to have your District Head nominated to the Native Authority Council at Bama.' He also said, 'After the plebiscite, the Emir and the District Officer will both come and ask you

to give the name of the person you wish to be appointed as your District Head.'

"He said, 'A very important plebiscite is forthcoming in the Northern Cameroons, I want you to think and discuss it fully with your brothers, friends and amongst yourselves before the time comes.'

"He said, 'We do not tell anybody what to choose. All we can tell you is to discuss with your brothers and friends so that you may choose for yourselves what is best for you.'

"He told the people that when the Emir and the District Officer came to them for the appointment of a District Head they should unanimously give the name of the person they wanted. They should therefore consult with all their brothers and be ready so that when they were asked by the Emir and the District Officer they would tell them the name without any trouble.

"He then asked us to read a prayer to God asking for peace. The prayer was read and the people went away. He then got into a canoe and we accompanied him to the place where his car was. That is all I saw and heard in respect to the Resident's tour to Siguel.

"(Signed) BARMA ADAM."

The statement that a few persons from the village of Siguel declared hostile to Nigeria have received corporal punishment, have been intimidated and humiliated in front of the crowd is untrue. It is significant that no names are mentioned and that the accusation of physical corporal punishment in front of a large crowd which is easy of substantiation, although made in the original document has now been dropped in the allegation in the pamphlet. There is no person called Aussile, Chief of the District of Rann. The District Head of Rann is as stated, Barma Adam Shuwa, and there is ample evidence to show that no persons were ordered to be arrested or were in fact arrested in Siguel on that date. The uncle of the Deputy, Gueime Garba, has been now identified. He is a man called Mohamadu Katchella. At the time of the meeting neither the Senior District Officer nor the Resident was aware that an uncle of this Deputy was resident in the Northern Cameroons and living in the Rann district. Inquiries have shown that this man Mohamadu Katchella was in fact called in by the District Head some time before the Resident had visited Siguel. He was called in to explain to the District Head why he had refused to pay tax. He continued to refuse to pay tax but he was not arrested and returned to his village without being detained in any way. At the time of the Administrator's investigation this man had still not paid his tax, nor had he been arrested. No other persons were called in at that time by the District Head and nothing can be found to account for the allegations of the two other arrests. At no meeting in the area was any mention made of President Ahidjo's visit to Afade. At that time no member of the administration of the Northern Cameroons had any knowledge that President Ahidjo was touring the boundary of the Northern Cameroons and this was not known until after the Resident's return to Mubi.

## ANNEX II

7 February 1961

A.2/S.1/

Mallam Mamadou Bako,  
Cameroun Republic Liaison Officer,  
Mubi

Sir,

1. I have the honour to inform you that the United Nations Commissioner for the Supervision of the Plebiscite in the Trust Territory of the Cameroons under United Kingdom Administration, has emphasized the necessity of there being neither political nor any other kind of interference by any sources from outside the Trust Territory in the conduct of the plebiscite.

2. As I have already announced, in order to allow the people of the Northern Cameroons to go to the polls on Saturday and Sunday, 11 and 12 February, in a calm and peaceful atmosphere, no public meetings or processions on

the two days preceding the poll, i.e. Thursday and Friday, 9 and 10 February, will be permitted. Such public meetings would also include cinema shows of any kind. In consequence, I would be grateful if all cinema vans which do not have their origin in the Northern Cameroons should either be removed from the Territory or brought into Mubi under your care by Thursday, 9 February.

3. There have been a number of personalities from outside the Territory who have been advising the various parties in the Northern Cameroons, and in some cases at least the Commissioner has observed that they have conducted themselves in a manner which is not conducive to creating an atmosphere in which the people of the Territory will themselves, in the spirit of the General Assembly resolution, determine their future in the plebiscite without outside interference. In consequence, since there will be no campaigning as from Thursday, 9 February, the presence of any personalities from outside engaged in any way in helping the parties over the plebiscite cannot any longer be permitted, and subject to the exceptions in my next two paragraphs, I must ask that all personalities and others engaged in this manner should remove themselves from the Territory by Thursday, 9 February.

4. In order to ensure that both the Governments of the Cameroun Republic and of the Federation of Nigeria are treated equally in this respect, I am prepared, in addition of course to yourself as the official Liaison Officer of the Cameroun Republic, to allow one personality to remain, in the person of Mallam Moussa Yaya of the Cameroun Republic.

5. In addition to the above, as the Government of the Republic of the Cameroun has already been informed, I am prepared to grant to six persons nominated by them as representing the radio and press a pass which will enable them to visit polling stations and to be present at the count. If you will give me the names of these persons I will see the necessary passes are issued. It must be realized that no special police protection or other facilities are available over this period, and conditions may well be difficult.

6. I must also emphasize that the incursion of any persons either from the Cameroun Republic or from Nigeria into the Northern Cameroons over this period will not be permitted. This does not of course apply to persons normally engaged on their usual trade or vocations.

7. If you are in any difficulty in this matter I would be only too pleased to give you an interview at any time.

8. A letter in similar terms has been sent to the Information Officer of the Federation of Nigeria, except that Alhaji Muhamadu Bashir of Nigeria will be Mallam Moussa Yaya's counterpart.

I have the honour to be,  
Sir,  
Your obedient Servant  
(Signed) P. WYN-HARRIS  
Administrator

### ANNEX III

#### The Za incident

A report was received at Mubi that the Za polling station had closed down in accordance with the regulations owing to a disturbance having occurred. It was understood that the presiding officer had allowed both polling agents to go into the booth unaccompanied and there was an altercation with regard to some ballot papers which had not been placed in either box and this had led to a disturbance and the polling station had been damaged. A superior police officer and three Trust Territory police proceeded to the station during the night which was over eighteen miles from the road and he was accompanied by a polling supervisory officer with instructions to reopen the poll on 12 February. In view of the fact that there was a dispute whether certain ballot papers had or had not been properly placed in a box, the poll at this station was started afresh and was completed on 13 February in accordance with the regulations.

### ANNEX IV

#### Arrangements made to ensure administrative separation between the Cameroons under British Trusteeship and Nigeria

A SOUTHERN CAMEROONS	B NORTHERN CAMEROONS
<p style="text-align: center;"><i>Executive power (British Commissioner)</i></p> <p>There exists a separate constitution for the Southern Cameroons (Order in Council 1960). The British Commissioner, since that constitution, does not answer any more to the Governor General for Nigeria, but directly to the Secretary of State for the Colonies, in London. He is not subordinate to the Government of Nigeria.</p> <p style="text-align: center;"><i>Legislative power</i></p> <p>Two procedures:</p> <p>(a) The Commissioner legislates alone in matters which were formerly the responsibility of the Federal Government of Nigeria. These subjects include foreign affairs, defence, telecommunications, aviation, navigation, meteorology, etc.</p> <p>(b) In all other fields the House of Assembly is the legislative authority. There is a House of Chiefs with advisory functions that considers all bills (except money bills) and such other matters as the Commissioner may refer to it, or the members themselves raise.</p> <p style="text-align: center;"><i>Local executive power: (Executive Council)</i></p> <p>The Executive Council consists of three official members appointed by office, the Premier and ministers. The Premier is appointed by the Commissioner, who is requested to appoint the person who appears to him to be best able to command a majority among the members of the House of Assembly. The other Ministers are appointed by the Commissioner from among the members of the House of Assembly on the recommendation</p>	
<p>The Northern Cameroons (Administration) Order in Council 1960 establishes a separate constitution for the Northern Cameroons. The Administrator is directly responsible to the United Kingdom Government for the administration of the Territory. He is not subordinate to the Government of Nigeria.</p> <p>The Administrator is empowered to make laws for the peace, order and good government of the Northern Cameroons, covering all fields of government.</p> <p>All executive powers are vested in the Administrator.</p>	

A  
SOUTHERN CAMEROONS

B  
NORTHERN CAMEROONS

of the Premier. The Commissioner presides in Executive Council or in his absence such other member as the Commissioner may appoint.

The Commissioner is bound to consult the Executive Council on all matters to which the legislative authority of the Southern Cameroons' use of Assembly extends. He is not bound to consult the Council on any matter in which he is empowered to act in his discretion but in practice there are few decisions of the Commissioner which are taken without consultation with the Council or the various members thereof.

*Judicial power*

A resident Judge is appointed by the Commissioner on instructions given by Her Majesty through the Secretary of State for the Colonies in London.

The Federal Supreme Court of Nigeria has competency on appeal.

Judges of the High Court are appointed by the Administrator on instructions given by Her Majesty through the Secretary of State for the Colonies in London. The Federal Supreme Court of Nigeria is the Court of Appeal from the High Court of the Northern Cameroons.

*Administration*

Prior to 1 February 1960 all civil servants in the Southern Cameroons were members of the Nigerian Federal Public Service. On that date a Southern Cameroons Public Service was established to which all Southern Cameroonian members of the Nigerian Federal Service who were serving in the Southern Cameroons were transferred. At the same time all British and Nigerian officers serving in the Southern Cameroons were compulsorily seconded to the Southern Cameroons Public Service. On 1 October 1960 such officers were given the option of remaining in the Southern Cameroons on voluntary secondment or of returning to Nigeria. Most of the British officers remained.

The former Nigerian Services are following an agreement between the Administering Authority of the Government of Nigeria provided by departments of the Federal Government. In day to day matters they are under the control of the respective departmental heads but in all policy matters and in important executive acts they are under the sole control of the Commissioner.

There are thus in the Southern Cameroons civil servants who are members of the Southern Cameroons Public Service, British Officers of the Nigerian Federal Public Service seconded to the Southern Cameroons Public Service, and Officers of the Nigerian Federal Public Service responsible for the agency services.

The Administrator has been appointed by the United Kingdom Government, has no responsibility to Nigeria and has never been employed in Nigeria. The Administrator may institute offices for the Northern Cameroons, make appointments to any such offices and terminate any such appointment. All members of the Nigerian Public Services appointed to such offices come under the control of the Administrator.

*Finances*

The Southern Cameroons has had a separate budget since 1954. On 1 October 1960 provision was made in the Southern Cameroons' budget for those services which were formerly the responsibility of the Nigerian Federal Government.

Before the separation between Southern Cameroon and Nigeria occurred, the Cameroon Government received some funds established on the same basis as those for the "other regions of Nigeria." It contributed with them into a federal system. Since the separation there is direct levy (particularly in respect to the entry duties) which produces in a full year an increase in the revenue of 260,000 pounds.

The former Federal services are now carried out by the Federal Government as an agency service. These include aviation, customs, geological surveys, meteorology, police, etc. Other services may be added at the request of the Commissioner.

The cost of the Federal Agency Services to the Southern Cameroons amounts to 735,000 pounds.

The Northern Cameroons has an entirely separate budget from the Government of Nigeria under the control of the Administrator. Certain services are provided by the Nigerian Federal and Regional Governments on an agency and repayment basis. These are under the control of the Administrator. The Northern Region receives a share of customs and income tax etc. in proportion to the revenue from these sources derived from the Territory. The balance of expenditure over revenue is met entirely by the United Kingdom Government.

*Customs*

Some customs posts were established on the border between Southern Cameroon and Nigeria. They are run by Nigerian Customs acting for the account of Southern Cameroon.

There are no customs posts in the Northern Cameroons either on the Republic boundary or the Nigerian boundary. While customs duties are payable for imports from the Republic of Cameroun, they are in fact very seldom collected.

A  
SOUTHERN CAMEROONSB  
NORTHERN CAMEROONS*Money*

It is Nigerian money as before the separation.  
The currency exchange control authority is in the hands of the Finance Ministry of Nigeria, in Lagos.

It is Nigerian money as before the separation.  
The currency exchange control authority is in the hands of the Finance Ministry of Nigeria, in Lagos.

*Postage stamps*

Since the separation, the Nigerian postage stamps are surcharged with the mention "Cameroon U.K.T.T."

Nigerian postage stamps overprinted with "Cameroon U.K.T.T." have been issued in the Northern Cameroons. Stocks however have not been sufficient and the Postal Services have had to issue stamps which have not had the overprint.

*Prior legislation*

The Order in Council of 1960 maintains it entirely in force with the possibility of amendments by the British Commissioner, a possibility of which he has made use in a few cases.

The Order in Council by Section 34 maintains existing legislation in force in the same way, subject to the powers of the Administrator to amend, repeal or make new laws. The Administrator has exercised his powers when necessary.

**DOCUMENT A/C.4/481****Letter dated 12 April 1961 from the Permanent Representative of Nigeria to the United Nations addressed to the Chairman of the Fourth Committee**

[Original text: English]  
[12 April 1961]

Nigeria is an interested party in the question of the Trust Territory of the Cameroons under United Kingdom administration and I should be grateful if you would circulate urgently to the members of the Fourth Committee the attached memorandum, which sets out the Nigerian position.

In asking you to circulate this document, Nigeria is animated by the desire to make its stand clear and to ensure that the decisions of the peoples of Cameroons, freely made under the supervision of the United Nations, are implemented.

(Signed) Alhaji MUHAMMAD

**INTRODUCTION**

1. In the plebiscite held by the United Nations in the trusteeship territory of the Northern Cameroons in February 1961, the people, in expressing their will freely, voted to join Nigeria by an overwhelming majority. They have chosen to reunite with their brothers in Northern Nigeria from whom they were separated when the European imperialists partitioned Africa in the 19th century.

2. Historically the Northern Cameroons can be divided into two sections: a northern section stretching from Lake Chad to the Mandara Mountains and a southern section stretching from Mandara to Mambilla. The northern section or Dikwa has been a part of the ancient Kingdom of Bornu since the 13th century and the people are predominantly Kanuri and Shawa, just the same as it is in Bornu today. In fact the whole of the Bornu Empire was ruled from Dikwa until the arrival of the European colonizers. The southern section from Mandara to Mambilla was in the Kingdom of Adamawa, which was part of the Fulani Empire of Northern Nigeria and had its headquarters at Yola. The southern limit of the Fulani Kingdom of Adamawa is the Mambilla and there have never been any his-

torical links between the Bornu and Adamawa sections of the Northern Cameroons and the trusteeship territory of the Southern Cameroons which border on the sea.

3. Between 1880 and 1884 the Germans made treaties with a few chiefs on the coast in what is now southern Cameroon, but the treaties had no effect on the northern kingdoms of Adamawa and Bornu which were conquered by the French, the Germans, and the British imperialists between 1900 and 1907. Arbitrary lines running from Lake Chad to the sea were drawn up by these Powers dividing the peoples of Bornu and Adamawa Kingdoms between the British, the Germans and the French. The British got most of these kingdoms, but the Germans set up the Kingdom of Dikwa from the remnants of Bornu Empire which fell into their hands, and they chose the ruler from the ruling house of Bornu.

4. When Germany was defeated in the 1914-1918 war, the German Cameroons was divided between the French and the British by a line running from Lake Chad to the sea. This subdivided the Bornu and Adamawa parts of the former German colony. The British got the part of the east. The British, following the old historical links, administered the Northern Cameroons as parts of Bornu and Adamawa, while the Southern Cameroons, which had no connexion whatever with the Northern Cameroons, was administered separately.

**THE PLEBISCITE OF 1959 IN THE  
NORTHERN CAMEROONS**

5. After the Second World War, the League of Nations Mandate over the British and French Cameroons was converted to a United Nations trusteeship. In 1959 the United Nations conducted a plebiscite in the Northern Cameroons, in which the people were asked:

"Do you wish the Northern Cameroons to be part of the Northern Region of Nigeria when the Federation of Nigeria becomes independent?"

"Are you in favour of deciding the future of the Northern Cameroons at a later date?"

It should be carefully noted that in the 1959 plebiscite the people of the Northern Cameroons were *not* asked to join what was then the French Cameroons. They voted to delay the decision on their future until a later date. Dr. Abdoh who was the United Nations Commissioner in charge of that plebiscite said in his report (A/4314, para. 242):

"The information that I gathered in the Territory supports the view that the people desire the introduction of reforms in the system of local government—which to them is synonymous with Government—and that one of the reasons why the majority voted in favour of the second alternative was to express the will for a speedy introduction of these reforms."

Following Dr. Abdoh's report, the United Nations in resolution 1473 (XIV) of 12 December 1959 recommended that the Administering Authority, without delay, take measures to effect the administrative separation of the Northern Cameroons and of Nigeria and that the separation be achieved by 1 October 1960.

The United Nations also recommended that a new plebiscite must be held in the Northern Cameroons not later than March 1961, in which the people were asked:

"Do you wish to achieve independence by joining the independent Federation of Nigeria?"

"Do you wish to achieve independence by joining the independent Republic of the Cameroun?"

6. Immediate action was taken to implement the United Nations resolutions. The territory was completely separated from Bornu and Adamawa Provinces of Northern Nigeria and was constituted into an independent province with its own provincial administration. Local government bodies called Native Authorities were set up with democratically elected council members and presidents. These Native Authorities are responsible for the administration of their areas and the maintenance of law and order. They have their own treasuries and are also responsible for all the social and economic services having their own education, agricultural, veterinary, forestry, health services and public works departments. Government officials under the control of the Administering Authority give advice to the Native Authorities.

7. The Cameroun Republic has suggested that district heads or chiefs who did not support Nigeria were dismissed before the Territory was separated from Nigeria on 1 October 1960. This is completely untrue. No district heads were appointed or removed except with the approval of the people themselves. It is significant that Mr. Ibrahim Abba, who is now in New York supporting the Cameroun Republic, visited the Premier of Northern Nigeria while the local government reforms recommended by the United Nations were being implemented and promised the Premier that he and his party would support union with Nigeria if various nominees of his were appointed district heads. The Premier told him that Nigeria believed in the normal democratic processes and that if the people chose his nominees they would be appointed. Although Mr. Ibrahim Abba's nominees stood as candidates, the people,

however, chose other candidates who were more popular. As a result, these disgruntled men, rejected by their own people, decided to support union with the Cameroun Republic, in the hope of getting into power; but again they were rejected by the people at the polls in the last plebiscite.

#### THE UNITED KINGDOM AND THE UNITED NATIONS ASSUME FULL RESPONSIBILITY FOR THE TERRITORY AND THE 1961 PLEBISCITE

8. On 1 October 1960, when Nigeria became independent the United Kingdom Government took over full responsibility for the Northern Cameroons and appointed an Administrator who was responsible only to the British Secretary of State for the Colonies in London.

9. It needs to be made clear that certain differences in the form of government exist in the Northern and Southern Cameroons. Whereas the Northern Cameroons was administered as part of the Northern Region of Nigeria before 1 October 1960, the Southern Cameroons under the constitutional arrangements made in 1957 and 1958 had a "regional status", and enjoyed a large measure of autonomy. The first autonomous Southern Cameroons Government was headed by Dr. Endeley until 1959 when, following a general election, Mr. Foncha came into power with a majority of one in the Southern Cameroons House of Assembly. Mr. Foncha's Government with its majority of one was elected as a Regional Government of Nigeria and had a mandate as such. It was not elected as an independent Government.

10. On 1 October 1960, when the Territory became administered directly by Great Britain it would have expected that the Regional Government of Mr. Foncha (which was a Nigerian Government) should have resigned and the plebiscite fought on the basis of two opposing parties with equal opportunity. This however was not the case, with the result that Mr. Foncha's party, which supported union with the Cameroun Republic, fought as the Government in power, using the whole of Government machinery to its advantage, whilst Dr. Endeley's party, which supported union with Nigeria, fought from the disadvantageous position of the opposition. The plebiscite in the Southern Cameroons was not therefore fought in an atmosphere of true equality of opportunity as was the case in the Northern Cameroons, where all members of the federal and regional legislatures ceased to be such on 1 October 1960. On this date the Territory was completely separated from Nigeria and the Northern Region. This liquidation of representation in the Nigerian legislatures gave complete equality of opportunity to all the parties and denied the "Government parties" which supported Nigeria in the Northern Cameroons opportunity to use its status to influence the electorate, as was the case in the Southern Cameroun.

#### COMPLAINTS OF CONTENDING PARTIES DURING THE PLEBISCITE

11. The various complaints made by the supporters of union with the Cameroun Republic can be answered by the Administering Authority and the United Nations who were solely responsible for the administration of the Territory and the plebiscite. It must, however, be noted here that the political parties which

campaigning during the last plebiscite for union with Nigeria had occasion to protest to the Administrator of the Cameroons and the United Nations on the following matters:

(i) Attempts by supporters of the Cameroun Republic to abuse the impartiality of United Nations observers; for example, they claimed publicly that the United Nations observers were supporting union with the Republic.

(ii) Incursions by district heads and others from the Cameroun Republic into the Northern Trust Territory to intimidate the people; for example, the visits of Ardo Wanghai, Sarkin Makola, etc.

(iii) The sending of twenty-one Deputies of the Cameroun Parliament and Government officials to help those campaigning for union with the Republic of Cameroun while Nigeria sent only one legislator to advise those campaigning for Nigeria at their request.

(iv) Against supporters of Cameroun Republic flying the United Nations flag on their Land Rovers and apparent indifference of United Nations observers to Cameroun Republic activities directed towards influencing the voters in the Northern Cameroons.

(v) Beating up in Chamba of supporters of Nigeria by local Native Authority officials favouring the Cameroun Republic; for example, two men favouring Nigeria were seriously injured without any provocation by the Head Warder of Chamber N.A. who instructed a working party of prisoners to assault them.

(vi) Lack of police action during the incident at Ganye, when hooligans led by NKDP leaders tore Nigerian emblems off the clothes of supporters of union with Nigeria.

#### THE RESULT OF THE PLEBISCITE IN THE NORTHERN CAMEROONS

In favour of joining Nigeria . . . . 146,356 votes  
In favour of joining Cameroons. . . 97,659 votes

12. Before the plebiscite the Government of the Federation of Nigeria had made quite clear the conditions under which the Northern and Southern Cameroons were to be admitted into the Federation if they

chose to join Nigeria. The Cameroun Republic on the other hand, did not and still has not declared clearly the conditions under which the Northern Cameroons would be admitted into the Republic. No details were worked out and only vague promises were made to the people. These vague promises, which included freedom from taxation, gave an unfair advantage to the Republic of Cameroons and, in fact, enabled the Republic to win more votes than they could have otherwise won. Nevertheless, the people of the Northern Cameroons have voted by an overwhelming majority to join their kith and kin in Nigeria. The people of the Southern Cameroons, where the Government is in favour of joining the Cameroun Republic, have voted to join the Republic.

13. Nigeria upholds the right of all peoples to decide their future freely and accepts with a sense of satisfaction the decision of the peoples of both the Northern and Southern Cameroons in the separate plebiscites conducted in their countries. The plebiscite in both territories was supervised and observed on behalf of the United Nations by Dr. Abdoh. Nigeria has complete confidence in his impartiality and that of the Administering Authority. The Cameroun Republic is now saying that in the Southern Cameroons where they were victorious, the plebiscite was conducted fairly and impartially by the United Nations and the Administering Authority, but that in the North where they lost, the plebiscite was unfairly conducted. It is ridiculous to suggest that Dr. Abdoh and the United Kingdom were impartial in the South and partial in the North. Nigeria therefore expects the United Nations Organization to stand by the decisions of the peoples of both the Northern and Southern Cameroons. These decisions were freely made under the supervision of the United Nations and cannot be set aside lightly. To do so would be undemocratic and not in accordance with the acknowledged practice of United Nations. Nigeria further considers that the people of the Northern Cameroons, having close ethnic and social ties with the people of Northern Nigeria, have now a claim to the protection of their chosen status by Nigeria, and thus Nigeria presses for early ratification of the plebiscite, so that the choice of the people may be implemented by a speedy integration with Nigeria.

#### DOCUMENT A/C.4/482

#### Communications concerning the Cameroons under United Kingdom administration: memorandum by the Secretary-General

[Original text: English]  
[13 April 1961]

Since the Trusteeship Council concluded its twenty-sixth session, the Secretary-General has received a number of communications which raise general problems concerning the Trust Territory of the Cameroons under United Kingdom administration. In accordance with the relevant rules of the Trusteeship Council's rules of procedure, these communications have been circulated in the following documents: T/PET.4/199 and 201; T/PET.4/L.85-L.147; T/COM.4/L.57-L.65.

The Secretary-General wishes to bring these documents to the attention of the members of the Fourth Committee in connexion with their consideration of the report of the Trusteeship Council

## DOCUMENT A/C.4/486

**Notes on a meeting between Sir Percy Wyn-Harris, Administrator of the Northern Cameroons, and Mr. Jean Betayene, Malam Musa Yaya and Malam Mamadou Bako, representing the Republic of Cameroun<sup>5</sup>**

[Original text: English]  
[15 April 1961]

Mr. Betayene is Secretary-General of the Ministry of Foreign Affairs, Yaoundé;

Malam Musa Yaya is Secretary-General of the Union camerounaise and Deputy President of the National Assembly;

Malam Mamadou Bako is the Mayor of Garoua;

The parties for the Republic of Cameroun were accompanied by a writer.

Present at the meeting representing the Northern Cameroons:

Mr. D. J. M. Muffett, O.B.E., Resident;

Mr. D. V. Mountain, Senior District Officer;

Miss J. V. Edwards, interpreter and stenographer.

1. Mr. Betayene opened the conversation by observing that he had been sent to Mubi because his Government had, until the morning of the 14 February 1961, no news of the plebiscite results in the Northern Cameroons. His Honour the Administrator observed that the method of publication of the results had been agreed by the United Nations Commissioner. Publication by plebiscite districts (secteurs) had been decided upon to ensure the integrity and secrecy of the poll. It was not the intention of the Government of the Northern Cameroons to release the figures showing how the people had voted, below those for the plebiscite districts (nine in number). This ensured that whichever way the poll went there was no possibility of re-creation. As regards the counting of the votes, however, Mr. Betayene enquired what the procedure had been. His Honour said that at the insistence of the United Nations Commissioner, the regulations governing the poll in the Northern and Southern Cameroons had been, with minor exceptions, as close as it was possible to make them. Boxes had been brought in under the charge of the presiding officers to the counting stations where the seals were carefully checked. The boxes were then opened under United Nations supervision and the voting papers inside counted in tens. They were then rechecked by a second counter. Mr. Betayene enquired who had done the counting. His Honour replied that the counting had been done by government officers, not of the Administration, and by their wives, and that these persons had been exclusively expatriate. His Honour added that even though it had been necessary to employ virtually every literate in the Territory and as a result it had been necessary to employ secondary, etc., schoolboys in some cases, in every case the polling booth had been in the charge of a mature man, and the young persons had only been employed in the capacity of assistants. His Honour then explained that all polling staff had had a full week of training and were thoroughly conversant with their duties, and that he was fully satisfied that they had carried them out with competence and impartiality. His Honour made the point that since virtually every liter-

ate person had been employed there could be no question of selectivity. The political leanings of the polling staff were not known nor were they enquired into and since they were, in fact, a random sample of the population, it would be reasonable to assume that at least a proportion of them would have been of a political persuasion and favouring an alternative different from the remainder. Balance would thus be readily achieved and it would not be known in which polling booth staff of any particular persuasion were employed.

2. Mr. Betayene then raised the question of the Nigeria police. He said that his Government had reservations because the police in the Northern Trust Territory were from Nigeria but those in the Southern Trust Territory (Southern Cameroons) were Southern Cameroonians, and his Government felt that the position in the Northern Cameroons was unsatisfactory as a result. His Honour replied that the police in the Northern Cameroons Trust Territory were seconded from the Nigeria police force and formed the Trust Territory police under his direction. All Native Authority police were natives of the Trust Territory. The force was commanded by European police officers of the Nigeria police force seconded to the territory and His Honour drew the attention of Mr. Betayene to the fact that up until 1 October the Southern Cameroons police force formed a part of the Nigeria police and was under officers seconded from the Nigeria police at this moment in precisely the same way as the Trust Territory police in the Northern Cameroons had formed a part of the Nigeria police force prior to 1 October 1960, and similarly were under the command of officers seconded from the Nigeria police. Complete operational control and over-all command of the police force was, however, vested in His Honour and no senior police officer in Nigeria had any say in the matter.

3. Mr. Betayene enquired as to what steps had been taken to secure the ballot boxes against interference. His Honour explained in detail the procedure. At the end of His Honour's explanation Mr. Betayene stated that his intention had been mistaken; what he was concerned with was the security of the boxes from the Nigerian polling officials. His Honour replied that Mr. Betayene was misinformed, the presiding officers, polling officers and polling marshals had been recruited in the Northern Cameroons and they were not Nigerians. Mr. Betayene replied that the "partisans" favouring junction of the Cameroun Republic had categorically informed him that Nigerian police officers were employed. His Honour regretted that these people were misinformed. Mr. Betayene then suggested that the misunderstanding had arisen because it had been necessary to switch polling officers from as far afield as Dikwa to Baissa and he felt that the "partisans" favouring junction with the Cameroun Republic had misunderstood these people and taken them for Nigerians. His Honour agreed that this may have been the misunderstanding, but repeated that the polling or presiding officers were drawn from the Northern Cameroons.

<sup>5</sup> These notes were circulated at the request of the United Kingdom Delegation.

4. Mr. Betayene then enquired why he had been refused permission to land in a French military aircraft at Mubi on Tuesday, 14 February 1961. He had approached the British Ambassador in Yaoundé and had asked him to facilitate his landing. Since the British Ambassador was not in communication with Mubi, communication had been made with Malam Bako, Cameroun Government Liaison Officer, who had requested facilities. His Honour replied that he had no intimation of the intention of the visit, the application had been for the landing of a military aircraft and in His Honour's opinion such a step would have given rise to grave rumours of intervention which it would have been difficult to counter. Mr. Betayene accepted the point about rumours but stated that he regarded the refusal as an unfriendly act. He had considered that it was tantamount to a refusal by His Honour to give him an interview and he was glad to see on his arrival by car that this was not so. His Honour replied that he would have acted in precisely the same way had a Nigerian aircraft endeavoured to fly in during this period. Mr. Betayene then asked whether it would be possible for aircraft from the Cameroon Republic to land at Mubi at will, in future. His Honour replied that it would not be possible. The Resident explained that Mubi was not an international airport, that no fire or safety precautions as required under the law for the landing of civil aircraft existed, no wireless facilities for the control of aircraft, and that Mubi was a landing strip, pure and simple, it was not even classified as an emergency landing strip.

5. Mr. Betayene then returned to the question of the Trust Territory police. He said that his Government had grave reservations as to the actions of the Trust Territory police. No investigation had been made of the many cases which arose from complaints made by "partisans" of the Cameroon Republic, and the police were accused of partiality. His Honour replied that in every case where sufficient evidence existed, the prosecution had been taken to court. There had only been very few cases of disorder arising from political activities, one of which involved the motor-car belonging to Malam Musa Yaya, another involved the motor-car belonging to Umaru Micika, and a third case, arisen in Chamba, involved damage to a motor-car belonging to the consortium parties favouring Nigeria. His Honour observed that these cases all went to Court and it was pointed out to Malam Musa Yaya by the interpreter that she had interpreted on his behalf in court and that he had not returned for the continued hearing.

6. Mr. Betayene then enquired about events on polling day. His Honour stated that to his knowledge there had been only one case of disorder on polling day, namely at Za. Here a dispute had arisen between the two polling agents which had spread to the public waiting to vote, and polling had been interrupted by the presiding officer in accordance with the regulations. A senior police officer and a returning officer (Europeans) had been sent to Za and polling had been satisfactorily completed. Mr. Betayene complained that the "partisans" favouring junction with the Cameroun Republic had objected that no notification was given of continued polling. His Honour produced figures which showed that over 50 per cent of the register had voted and that the greater part of this number had voted at the continued poll. Only 200 had voted at the time when the disturbance took place. The Resident then intervened to point out that there had been a second disturbance at

Muchella. His Honour asked the Resident to give details. The Resident informed the meeting that a group of persons favourable to the Cameroun Republic had assembled close to the polling booth and had endeavoured to persuade voters to vote for the Cameroun Republic. Such activities on polling day were contrary to the regulations, which forbade any persons to canvass for votes during the period when the poll was taking place. One person had been arrested and brought to Mubi where a statement had been taken, and as far as the Resident knew, the man had then been released.

Mr. Betayene enquired if this was the case where a man had been shot down by Government policemen. He stated that man was now in Burha hospital suffering from gun shot wounds (a rifle bullet (*balle*) implied). The Resident enquired whether there was a doctor attached to the Burha hospital. A short discussion between Mr. Betayene and the Mayor of Garoua elucidated that there was only a medical orderly there. The Resident then suggested that it might be humanitarian and advantageous to the truth for the person to be examined by a medical officer. There were two expatriate medical officers in Mubi and he was certain that one could be made available to go, with Mr. Betayene's permission, to Burha to examine the patient. Mr. Betayene then said that he was not sure whether the patient was still in hospital, he may have been sent back to his village. His Honour agreed that it would be advantageous for the patient to be examined by a medical officer if possible, and Dr. F. Yates and Mr. D. V. Mountain were summoned to Government Lodge. Mr. Mountain entered the conference room. Mr. Betayene said that the complaint was that a man had been shot down by Government police armed with guns (*un coup de feu*) and that there were three witnesses to this happening. It was agreed by Mr. Betayene and the Mayor of Garoua that it would be satisfactory for Dr. Yates and Mr. Mountain to go to Burha where the patient may still be in hospital although Mr. Betayene stressed that he had no personal knowledge of this case, and the Mayor of Garoua undertook to facilitate Mr. Mountain's and the doctor's passage by sending a letter in their hand to the police post at Bukala. Mr. Betayene said that he had agreed with the policeman on duty at Bukala the previous day that should the Senior District Officer seek to visit Burha, facilities would be offered.\*

7. At His Honour's request a ballot-box was produced so that the meeting could observe, in practice, the system of seals which were applied to ensure the integrity of the ballot boxes.

8. Mr. Betayene then stated that he wished, on behalf of the Cameroun Republic Government, to thank the administrator for making available a headquarters in Mubi for Malam Bako, Mayor of Garoua, who was the official Cameroun Republic Liaison Officer. His Honour replied that it had been a pleasure.

9. Malam Musa Yaya then enquired whether there would be free passage for all vehicles from the Cameroun Republic as at present throughout the Northern Trust Territory. His Honour replied that commercial vehicles and private vehicles engaged on their own affairs would be accepted on the same basis as they had been for many years. But so far as political vehicles were concerned, the registration facilities offered

\* Author's note: Subsequent investigation showed that this man had not been shot by the police.

by the Government of the Northern Cameroons to enable political vehicles to campaign freely would be withdrawn on 22 February 1961. Malam Musa Yaya enquired about facilities for free passage within Nigeria. His Honour replied that it was quite impossible for him to commit Nigeria to any line of action. The Northern Cameroons was not a part of Nigeria. Malam Musa Yaya then enquired what would happen if vehicles were presented to the "partisans" favouring junction with the Cameroun Republic. His Honour replied

that this was very simple—all that would have to happen would be for the vehicle to be registered in the Northern Cameroons.

10. Malam Bako, Mayor of Garoua, then said that he wished personally to thank His Honour for the facilities and courtesies extended to him during his stay in Mubi and that he was leaving with many regrets. His Honour replied by thanking Malam Bako for the way in which he had conducted the business of the Cameroun Republic.

#### DOCUMENT A/C.4/487

#### Medical statement by Dr. F. W. Yates concerning Mr. Iya Kabda, addressed to the Administrator of the Northern Cameroons<sup>6</sup>

[Original text: English]  
[15 April 1961]

Ref. No. 61/121

General Hospital, Mubi  
16 February 1961

The Administrator, Mubi.  
Copy: The Resident, Mubi.

#### MEDICAL EXAMINATION

This is to certify that on 15 February 1961 I examined Mr. Iya Kabda who complained of having been shot in his left leg on the morning of 13 February 1961. Examination of the limb revealed:

(1) A ragged fresh superficial wound over the anterior aspect of the left tibia approximately midlength position and 5/8" diameter.

(2) A small abrasion some 2" lower and of comparable freshness to the larger wound. Above this wound were two or three small scratches in the line of the tibia.

(3) No evidence of infection; no underlying bone injury; no foreign body seen in the wound.

(4) Examination of both tibia revealed thin old scars over the anterior aspects.

From the nature of the wounds I would say that they were probably caused by stumbling on a rock and not inflicted by a glancing blow from a bullet.

(Signed) DR. F. W. YATES  
L.M.S.S.A. (LOND.), L.R.C.P., M.R.C.S.  
Touring Medical Officer, Mubi

<sup>6</sup> This document was circulated to members of the Fourth Committee in accordance with the request made by the representative of the United Kingdom at the 1145th meeting of the Committee.

#### DOCUMENT A/C.4/490

#### Additional statement by Mr. Namaso Mbile, Cameroons People's National Convention, Kumba Division on the Southern Cameroons<sup>7</sup>

[Original text: English]  
[18 April 1961]

As you no doubt have clearly observed, whereas the plebiscite irregularities in the Northern Cameroons have an almost inexhaustible list of champions no less impressive than the weight of France and that of the Cameroun Republic, the Southern Cameroons, because of the absence of champions for our case, appears to have had a perfect plebiscite with no irregularities, nothing wrong, nothing to complain about. Sir, in view of this position I submit humbly to put forward an

<sup>7</sup> This document was submitted after the hearing of the petitioner and distributed to members of the Fourth Committee in accordance with the decision taken by the Committee at its 1147th meeting.

additional statement on the plebiscite in the Southern Cameroons.

The following irregularities occurred in the Southern Cameroons:

1. There was a complete misrepresentation of the meaning of the plebiscite alternatives, e.g. the poster circulated by the KNDP.

2. There was a heavy influx of Cameroun Republic persons who registered and against whom objections could not succeed because the requirements for a successful objection were well-nigh impossible of attainment. One condition required a deposit of £1 per objec-

tion. In Kumba alone we were prepared to register thousands of objections but we were expected to deposit thousands of pounds to pursue them. We were also required to produce the names of two persons who knew the birthplace of the person objected to. The entire onus of proving an objection rested with the objector. The other party was not even expected to answer questions.

3. There was heavy external influence from the Cameroun Republic. President Ahidjo himself came over and addressed meetings at Tiko and Victoria. A large number of ministers, members of Parliament and influential persons came over from the Cameroun Republic to campaign for "unification".

During the plebiscite a large number of huge caterpillar tractors and bulldozers from the Cameroun Republic steam-rolled into Kumba and kept driving up and down Kumba town with people swamping and hanging on the trucks shouting to the population—"These are a free gift to you from the Cameroun Republic. Your roads will all be done immediately if you vote to join the Cameroun Republic."

4. In Bamenda, the chiefs, using their governmental

authority, set up an impenetrable curtain against those who were opposed to the Government, to Mr. Foncha, against holding meetings and speaking to the people there.

5. The pro-unification group had an undue and an unfair advantage in that they were in Government and had the entire weight of the machinery of Government on the side of unification, although in parliament they have only thirteen members against thirteen members of the opposition.

Had there been a balance in this matter, namely the setting up of a fractional Government instead of a partisan one interested in one side to the dispute, the results would have been more equitable.

Sir, I wish to reiterate the point that these were not only irregularities but outside influence from the Cameroun Republic, not only in the Northern Cameroons but perhaps as much, if not more, in the Southern Cameroons.

Permit me, Sir, to express my very deep appreciation to you for allowing me to make this supplementary statement.

#### **DOCUMENT A/C.4/493**

##### **Financial implications of the draft resolution contained in document A/C.4/L.684: note by the Secretary-General**

*[Original text: English]  
[18 April 1961]*

1. The draft resolution contained in A/C.4/L.684 proposes the establishment of a commission of six members, to ascertain in particular (a) whether the separation of the administration of the Northern Cameroons from that of Nigeria has been effected, and (b) whether the basic objective of the Trusteeship System can be regarded as achieved throughout the territory of the Cameroons under United Kingdom administration.

2. The resolution will result in additional financial requirements during 1961 which, as foreseen at this moment, may amount to a total of \$54,000.

3. The sum of \$41,000 is estimated to be required for travel costs and subsistence payment to the members of the commission and eight members to be detailed from the Secretariat.

4. In addition, some \$8,000 will be needed for local transportation, \$1,000 for communications, \$3,000 for miscellaneous supplies and services and \$1,000 for replacement of secretarial staff detailed from Headquarters.

#### **DOCUMENT A/C.4/494**

##### **Financial implications of the draft resolutions contained in document A/C.4/L.685: note by the Secretary-General**

*[Original text: English]  
[18 April 1961]*

1. The draft resolution contained in A/C.4/L.685 proposes the appointment of three constitutional and administrative experts to be nominated, one each by three Member States designated by the General Assembly. This commission will assist in discussions with the Administering Authority, the Government of the Southern Cameroons and the Republic of Cameroun with a view to finalizing before 1 October 1961, the arrangements by which the agreed and declared policies of the concerned parties for a union of the Southern Cameroons with the Republic of Cameroun into a Federal United Cameroun Republic will be implemented.

2. The resolution will result in additional requirements during 1961 which are foreseen, at this moment, to amount to a total of \$46,000.

3. The sum of \$24,700 is estimated to be required for travel costs and subsistence payments to the members of the commission and five staff members to be detailed from the Secretariat.

4. In addition, some \$11,500 will be needed for salaries and wages, \$6,000 for local transportation, \$1,000 for communications and \$2,800 for miscellaneous supplies and services.

### DOCUMENT A/C.4/495

#### Statement by Mr. S. T. Muna, Minister of Commerce and Industries, Southern Cameroons<sup>8</sup>

[Original text: English]  
[24 April 1961]

The purpose of this statement is to clarify certain serious and misleading points raised by petitioners from the Southern Cameroons in the Fourth Committee last week.<sup>9</sup>

I am perfectly convinced that if facts about any human problems needing solution by this distinguished body were presented without distortion and undue colour, then the General Assembly's task would have been half done. Unfortunately, this is not often the case. Although I am fully aware of the wisdom, experience and the great responsibility of the distinguished delegates in detecting when some petitioners call a rat an elephant and cry wolf when there is none, I have been compelled to make some observations on some of the grave issues raised by the petitioners from the Southern Cameroons. My observations are intended mainly to throw light on the doubtful and misleading points they have raised, thereby wiping off any wrong impressions that must have been given about the Southern Cameroons Government.

Before considering these misgivings by the Leader of the opposition, and his team, I want to draw attention to the following indisputable facts.

As far back as 1949, the existence of a Cameroons national consciousness had been apparent and led to the formation and development of political movements in the Territory. A reference to paragraph 52 of the Visiting Mission's report (T/1426 and Add.1) would suffice to indicate the strength of the Cameroons nationalism. It should be appreciated that amongst those Cameroonians who spear-headed this national spirit were the late Chief Manga Williams, the late S. A. George, Mr. P. M. Kale, Mr. J. N. Foncha, the present Premier of the Southern Cameroons, and Dr. E. M. L. Endeley, who became the first Premier of the Southern Cameroons. It should be noted that right from the beginning of the institution of parliamentary government in the Southern Cameroons, those regarded as people from the grassland, or Bamenda, have always been in a majority and yet Dr. Endeley was a beloved leader for the whole nation for several years without any tribal feelings or discrimination. As time went on, Dr. Endeley made statements publicly on behalf of his party showing that he was no longer interested in a Cameroons nationality but a Nigerian nationality. If I may add a personal note, I, who by then was his deputy in the then KNC Government, could not con-

done this unpatriotic change of policy and so had to resign from his cabinet and party. This raised a political storm throughout the Territory. As it happened that I came from Bamenda, the alleged struggle between Bamenda and Bakweri, his own people, was born.

I want it to be placed on record that Dr. Endeley and his associates failed to win the last 1959 general election and also votes for Nigeria at the last plebiscite not because of tribal discrimination but because he, on behalf of his party, had published the following statement which I quote from a pamphlet entitled "A Statement of Policy" by Dr. E. M. L. Endeley, Premier of the Southern Cameroons:

"Finally, I should like to state the attitude of my Government towards the French Cameroons. Most of us have, at one time or the other, advocated the ultimate unification of the French and the British Cameroons as it was before the 1914-1918 war. While we still hold this view, new events and circumstances have overtaken us, and have removed the question of unification out of the realm of urgency and priority in which we had earlier placed it. With the Northern Cameroons absorbed into Northern Nigeria, and the French Cameroons assimilated into the French Union, it now seems unlikely that the Cameroons would ever return to the status it was before 1914."

From the date of this statement, it became crystal clear to all patriotic Cameroonians, great and small, men and women, young and old, irrespective of their tribal and cultural feelings, be they in the Northern Cameroons or Eastern Cameroons, that Dr. Endeley and his political stooges had challenged the national spirit of the entire people. These people did not hesitate in accepting the challenge which has in no mistakable or light terms, and beyond any doubt, been fully answered by the results of the plebiscite.

I admit that tribal sentiments in certain circumstances do exist, but judging from the plebiscite it cannot be said correctly that it was a struggle between the forest people and the grasslanders. These allegations are most untrue and are destructive fables designed by those who lack the guts and courage to accept, as sportsmen, the will of the people and the defeat of an ideology in which they wrongly and strongly believed. I still believe that there are unlimited opportunities and scope for co-operation, private and national service for all in a Cameroons nation. It is from this background which I have exposed that I shall base my comments on the facts advanced by the petitioners, all of whom I know as real CPNC strong party men, al-

<sup>8</sup> The text of this statement was circulated to members of the Fourth Committee in accordance with the Committee's decision at its 1150th meeting.

<sup>9</sup> The petitioners on this question were heard by the Fourth Committee at its 1142nd and 1144th to 1147th meetings.

though they have, for reasons best known to themselves, chosen to come here under different cloaks.

I shall start by recalling that at the 885th meeting of the Fourth Committee, in September 1959, Dr. Endeley and Mr. Mbile as leaders of the KNC and KPP respectively, stated categorically as a definite matter of their policy that they could not subscribe to the idea of the Southern Cameroons standing alone as an independent State and insisted that the two alternatives for the plebiscite should be presented in such a way as to indicate that the ultimate goal of Foncha's Government was unification. They further asserted in very strong terms that the existence of the Southern Cameroons as a separate Trust Territory was incompatible with its aspirations for independence and would make it a source of hostility not only between the two independent States on its borders but also between them and the United Kingdom. So therefore in view of the inevitable economic and military weakness of a separate Southern Cameroons State, the only practical solution would be for it to attain independence either in association with Nigeria or with the Republic of Cameroun.

Dr. Endeley in particular recalled the fact that the desire for reunification had been discussed in the General Assembly and could not be brushed aside. Later on at the same meeting of the Fourth Committee the leaders of the Opposition and Mr. Foncha, with the help and guidance of the African States, compromised by agreeing on when to hold the plebiscite and the two alternatives to be put to the people. After the approval of the plebiscite questions and time by the General Assembly, political leaders in the Southern Cameroons, through public lectures, started feeling and sounding the opinion and reaction of the masses on the plebiscite. The most outstanding effect was the merging of KNC and KPP into CPNC, thereby eliminating the letter "K" which all parties supporting unification used in the spelling "Kamerun" as it was under the Germans.

Since the merger, the CPNC has proved to be inconsistent in its policy. While some of its members preached federation of the Southern Cameroons with Nigeria, others preached partition of the territory after the plebiscite, and yet others tried to persuade other parties, particularly the KNDP, to join them in asking for a separate Cameroons state. From the facts submitted by the CPNC petitioners from the Southern Cameroons, these various conflicting views are made apparent. Another very shocking change by the CPNC is contained in the proposal made by Dr. Endeley in the statement of his petition already circulated among the distinguished delegates.<sup>10</sup> The relevant section is as follows: "The territory should be nursed towards attaining independence for herself not under the old Trusteeship System, but under a UN Commission with Britain continuing as agent or administrator for 3 to 5 years." No one, at the stage we have reached so far, with independence next door, can countenance or make such an unrealistic and unacceptable proposal.

Two petitioners, in the persons of Mr. E. K. Martin and Mr. S. M. L. Endeley, stated before the Fourth Committee, that they were mandated by the Bakweri "Molongo", a cultural organization, which they falsely claimed embraces all the indigenous inhabitants of the

Victoria Division of the Southern Cameroons. Inasmuch as there is no need to quarrel with a genuine cultural organization of a people, I want to clarify the fallacious and hypocritical assumption by the petitioners through the "Molongo". Firstly, two of the indigenes of Victoria Division are legislators, members from Mr. Foncha's party, namely Mr. M. Ndoke, Minister of State, and Mr. M. M. Monono, Parliamentary Secretary to the Ministry of Natural Resources. These names are found in paragraph 208 of the UN Commissioner's report on the plebiscite.<sup>11</sup> The relevant and indisputable fact is that these two legislators could not have been elected without substantial support from his own tribesmen, who must be indigenes of the Victoria Division. Secondly, in the same report, paragraph 211, we find an opposing party KUP, led by Mr. P. M. Kale, a Bakweri man from the same town Buea, which is also the home town of Dr. Endeley. Mr. Kale does not support federation with Nigeria. As pointed out in the Commissioner's report, Mr. Kale who was once the leader of the KPP, Mr. Mbile's defunct former party, has a great following particularly among the Bakweris. It is partly for this important reason that the votes during the plebiscite for the Republic of Cameroun won in Buea itself exceeded those for Nigeria.

Furthermore there is a third party called CIP also mentioned in paragraph 216, led by Mr. Jesco Manga Williams, another Bakweri leader who has not made up his mind yet. He too, being an indigene, could not be without a following. There is no need to assess the OK and CCC parties. It is therefore very wrong indeed for the two Bakweri petitioners to demand the rejection of the plebiscite result on behalf of all the indigenes of the Victoria Division, who, as I have proved, have quite different views on the future of the Southern Cameroons as maintained by their political leaders.

Nearly all the petitions have mentioned the domination of the Bakweri people by the Bamenda people. I want to prove with figures that this is most untrue. Before doing so I want to emphasize that the six divisions in the Southern Cameroons are not tribal boundaries but administrative units. In Bamenda Division itself, the bugbear of the Opposition members, there are many tribes. In fact each elected member from Bamenda comes from a different tribe. For example my tribe, the Widikum, originated from the forest areas and Mr. Foncha's, the Tikaris, originated from the Northern Cameroons, although we share the same political ideology. Now, to come to this domination. Permit me to quote as an example which, because of plantations and other developments, has inevitably attracted people into Victoria Division, who are now maliciously termed Bamenda people. I am quoting from the Cameroons Development Corporation Report of 1959. The figures I shall be quoting, from page 23, show the total number of people from the various tribes, division by division, working in the plantations in Victoria Division, the land of the Bakweri people.

<i>Division</i>	<i>No. employed</i>
Victoria .....	524
Kumba .....	1,534
Mamfe .....	2,341
Bamenda .....	3,208
Wum .....	2,284
Nkambe .....	648

TOTAL Southern Cameroons 10,539

<sup>10</sup> Not a United Nations document.

<sup>11</sup> A/4727.

<i>Division</i>	<i>No. employed</i>
Nigeria .....	4,901
French Cameroons .....	802
Other Non-Nigerians .....	43
<b>GRAND TOTAL</b>	<b>16,285</b>

This is only a malicious and a subtle attack, mainly for political reasons, on the Bamenda people who, like other tribes, have lived in peace with the Bakweris for many years. As far as records go there has been no noticeable feud between them. I cannot see any reason why 3,200 out of 16,285 employees of the CDC should dominate the rest. I appreciate the fact that there is a shortage of land among the Bakweris.

Another very misleading fact mentioned concerns the bills which were passed into law by the Southern Cameroons House of Assembly. The laws have been misconstrued and interpreted by the petitioners to suit political ends. So far, the Southern Cameroons has not achieved full internal self-government and as such the Administering Authority cannot approve any laws which will have any adverse effect on any tribe or tribes of the territory. These laws were the same laws when the territory was part of Nigeria, now modified to conform with the constitutional changes applicable to the Southern Cameroons only. The House of Chiefs in the territory considered the bills and was satisfied. The Attorney-General of the Government did his best to explain to the members of the opposition that there were no major changes in the laws, but they would not accept, because of political propaganda. I am open to correction by the Administering Authority on this issue.

I want to draw attention to the important fact that before the plebiscite, and up till now, the strength of elected members for the two parties was and still is 13:13. One would have thought that if the voting was strictly tribalistic, then there should not have been such an overwhelming majority in support of unification with the Republic of Cameroun. As a matter of interest, if the plebiscite results of the 26 plebiscite districts were to be taken as general election for returning candidates to the House of Assembly, then the Opposition would have lost 5 of their seats. Is this cry of tribalistic voting true?

(1) The petitioner from Nkambe, in his statement before this Committee, stated categorically that he was speaking on behalf of all the people in Nkambe Division. I think this is a high-handed assumption, as all the people in that division, as revealed by the figures of the plebiscite, did not support him. He can claim to speak for those whose mandate he got but not otherwise. There are in that division over 15,000 who voted for the Republic of Cameroun and over 21,000 for Nigeria.

(2) This petitioner together with his colleagues emphasized the fact that Southern Cameroons is artificial and a conglomeration of tribal groups and so on. I am sure this is a common factor and knowledge which can be applied to all the emerging African nations such as Nigeria, Ghana, Dahomey, Liberia, etc. If we were to revert to ethnic groupings, traditions and what not, then how far shall we get, other than into a chaotic and disastrous turmoil.

(3) From the very strong reasons advanced by the petitioner that his kith and kin were in the Northern Cameroons, one would have thought that if he was nationalistic as a Cameroonian, his complaint would

have been against the partitioning of the Cameroons by the Administering Authority. I do not want to contest the validity or absurdity of the various plebiscites conducted elsewhere mentioned by him to strengthen his case, because I believe that the delegates are very capable of making their deduction from the analogies by taking each case on its merits.

(4) I want to draw the attention of the Committee to the fact that the petitioner who claimed from the start to be speaking on behalf of Nkambe exceeded his prerogative. He spoke not only for the Bum people of Wum division but also for the Nsaw people in Bamenda my own division.

He has claimed with audacity that these two tribes because of propinquity and cultural affinity are affiliated to Nkambe. If I may ask, where shall we end, if by such vague, irresponsible and frivolous reasons we claim other tribes or communities as our kith and kin. Nsaw people are people of my division, among whom I have some time taught as a teacher many years. I speak their language well, and from 1952-1956 was one of their elected representatives in the House of Assembly. I can challenge the petitioner that he does not know as much as myself about the Nsaw people. The Nsaw clan is the largest single community—60,000 people—in the whole of Southern Cameroons, and has also a common boundary with the Republic of Cameroun. Reference to the results of the area Bamenda North shows that they voted nearly 19,000 for unification with the Cameroun Republic and only 8,000 for Nigeria. Now, with all the goodwill on earth, and with the United Nations ready to see justice done and peace secured, how will it be possible to divide the Nsaw people between Nigeria and the Republic of Cameroun through the result of secret ballot? I think that it is most disturbing and frustrating, Sir, when the distinguished members are faced with a serious problem, that facts are deliberately distorted in order to satisfy selfish and ulterior motives. I hope that by clarifying these points, facts will be carefully examined before giving weight to some of the fantastic, colourful and disastrous statements made. I am now wondering how some of the Nsaw people will feel to be called vassals from conquests, as stated by the petitioner. The people have long forgotten these things and now live in peace. The people fully understood the questions during the campaigns and regarded the plebiscite as above party politics and voted against the ideology of their elected representative in the Assembly.

Although the Leader of the Opposition referred to the fact that he was subject to a commission of enquiry because of a wrong accusation by the government party, I do not want to bore the Committee with the details of that enquiry but will simply state that he, Mr. Mbile, and another of his colleagues together with one member from our party were censored by the Southern Cameroons Parliament for misconduct. Indeed, but for the plebiscite which the Government considered very important, some of them would have landed themselves into gaol.

Again Mr. Mbile delighted himself before the Committee by ridiculing Premier Foncha, saying that he was like a man hanging on a wild cow's tail and being dragged about. I want to assure Mr. Mbile that he will soon realize that Mr. Foncha was not actually holding on by the tail but by the horns and that he will soon be riding on the cow. I must object strongly to the

way Mr. Mbile has attacked an honourable Minister in the Southern Cameroons Government by referring to him as a black sheep. This is attacking a man in a place where he is unable to defend himself.

As I had already explained, these observations are mainly to clarify and at the same time to refute the unfounded allegations of tribal discrimination, alienation of land, oppression, victimization and other mal-

practices supposed to be carried out by the present Government of the Southern Cameroons with Mr. J. N. Foncha as Premier.

Finally, Sir, I fully associate myself with the Premier of the Southern Cameroons for the great tribute and appreciation he has paid to all who have been concerned in guiding the territory through an intricate political history to its present status.

## DOCUMENT A/C.4/496

### **Additional statement by Mr. Mayi Matip, Deputy to the National Assembly of the Republic of Cameroun, representing the Parliamentary Group of the Union des populations du Cameroun<sup>12</sup>**

[Original text: French]  
[24 April 1961]

In order to clarify the summary records containing (1) the statement of the honourable representative of Madagascar, who spoke of me as a former Opposition leader;<sup>13</sup> (2) the statement of the distinguished Minister for Foreign Affairs of the Republic of Cameroun, who said that the UPC was represented in the present Government of the Republic of Cameroun;<sup>14</sup> (3) the statement of a petitioner who spoke in the name of the UPC at the meeting of 19 April 1961 denying those who were not in exile the right to speak in the name of the movement,<sup>15</sup> I have the honour to point out:

#### *A. Concerning the opposition*

The UPC continues to lead the national opposition to the present Government of the Republic of Cameroun. This opposition does not consist of armed action or personal attacks against individuals, but pursues a struggle which we think should be legal, loyal and based on the enjoyment of democratic freedoms by all. The struggle is based on a clearly defined programme of action (see the attached document). It is therefore incorrect to speak of the present Chairman of the UPC Parliamentary Group as a former Opposition leader. The fact that he agrees with the Government on a particular point is exceptional.

#### *B. Concerning the UPC's participation in the present Government*

For the moment the UPC is in opposition. It cannot be both in opposition and in the Government. The UPC does not follow a policy of all or nothing, and could only take part in a Government of national unity provided it was based on a minimum programme agreed on by a round-table conference of national political movements. It is therefore false to say that the UPC is taking part in the present Government of the Republic of Cameroun. The UPC is represented in the National Assembly, but not in the Government.

#### *C. Concerning the petitioner's statement*

Such a statement on the vexing problem of reunification seems out of order, both in spirit and in tone, and likely to lead the international Organization to discuss internal disputes subsisting either within the

UPC or between the UPC and the present Government of the Republic of Cameroun.

In connexion with the problem before us, we could make pertinent and severe charges against the old and new forms of colonialism of France and the United Kingdom and against their Camerounian agents. We pay them no compliments. Nor do we pay any compliments to the United Nations, which has caused the present difficulties by encouraging the United Kingdom to follow a two-sided policy, designed to serve a particular cause, in a Territory for which there is only one Trusteeship Agreement. But this does not mean that we would turn away the aid which we ask the United Nations to give us in order to remove peacefully the obstacles which the United Nations itself on the one hand, and France and the United Kingdom on the other, with the help of their factotums, have put in the way of our reunification. The position of the UPC is therefore that of a body most deeply concerned with pressing our national demand. Such a body, while making definite proposals, would attack no one, although it is in a good position to do so.

But how is the UPC acting at this moment? On the international level we are doing all we can to prevent the United Nations from taking decisions which, in the long run, might cause confusion in our country, because we think the United Nations should listen to reason and right and should respect the principle of the supremacy of the interests of peoples under its trusteeship. In considering the problem before us, we were entitled to say that there was only one Trusteeship Agreement and that the votes should therefore be added together. The precedent of the Togo referendum supports this view. But such a position could not be reconciled with the request for an annulment because of the irregularities and because the United Nations resolutions and the Trusteeship Agreement have not been implemented. In supporting this request, we do not condone the injustice or the denial of right perpetrated by the United Kingdom, with the encouragement of the United Nations, in following two policies in the Trust Territory of the Cameroons in order to divide it into two territories.

We have chosen to ask for an annulment in order to show the United Nations more clearly where its responsibilities lie. For if the United Nations tries not to meet this request on the pretext that it cannot disclaim its own Commissioner—whose honesty is not doubted by us or by anyone else—it will sacrifice the

<sup>12</sup> The text of this statement was circulated to members of the Fourth Committee in accordance with the Committee's decision at its 1152nd meeting.

<sup>13</sup> See A/C.4/SR.1141.

<sup>14</sup> See A/C.4/SR.1151.

<sup>15</sup> *Ibid.*

paramount interests of the Cameroonians under its trusteeship to some diplomatic arrangements or to the ostensible protection of its reputation, which is not involved in any way. We have therefore alleged that the Agreement has been violated, since after more than forty years of domination the percentage of literates in the Northern Cameroons is hardly 3 per cent. The administrative separation from Nigeria has not been carried out in spite of the United Nations recommendation. The proof is that the Nigerian police and the leading officials, who were Nigerian citizens and who were therefore interested parties in the referendum, held the reins of command at the time of the referendum. They are still in the same positions, and their action proved the decisive factor among a mass of illiterates.

Since the UPC, the JDC and the UDEFEC were formally banned in the Cameroons under United Kingdom administration by a decree of the central Government of Nigeria in 1957, we also ask for the repeal of that decree. And, since we believe in a legal struggle, we ask that our comrades now in exile should be objectively informed of the true situation within the country and should be able to return to fight at close quarters against the forces of evil and for unity, not only within the one and indivisible UPC, but above all for national unity and African unity. This unity should not be based on the languages of the former colonizers, but on the heritage of our continent which intends to be free and independent.

It is therefore the duty of African Heads of State not to create spheres of influence within the UPC, and thus in Cameroun or elsewhere, but to do all they can for the sake of the unity of our movement and our country, and to refrain from acting as the advocates of one person against the people.

Since this is so, Mr. Chairman, I should like to submit as an annex the statement of general policy adopted last December by the National Meeting of UPC Organizations.

I have spoken here on behalf of the UPC Parliamentary Group. I did not become a member of the UPC last night: I am an old resistance fighter of the *maquis* and a member of the Provisional National Office of the UPC, elected both by the members of the Executive Committee living in Cameroun and by the delegates of the departmental sections. I therefore refuse to answer my young comrade, whose courage I admire, but I hope he will allow me to say, as Um Nyobé said, that the UPC is not a headquarters for discussion, but a mass movement in which the militant, whether he is in Cairo, in France or elsewhere, can only make proposals and let the mass of militants decide within the regular organizations where all must share the same discipline.

Since I come from these organizations, which are fighting at close quarters against the Government in my country, I have spoken on behalf of their representatives in Parliament.

#### ANNEX

NATIONAL MEETING OF UPC ORGANIZATIONS, HELD AT LIBAMBA (MAKAK) ON 20, 21, 22 AND 23 DECEMBER 1960

##### *Statement of general policy*

The National Meeting of UPC Organizations, held at Libamba (Makak) on 20, 21, 22 and 23 December 1960,

attended by members of the Executive Committee, the UPC parliamentary group in the National Assembly, delegates of the sections, sectors and central committees of the movement and the national Inter-section Directorate,

*Having considered* the internal situation of the UPC and present political conditions in Cameroun,

*Adopts* the following statement of general policy:

##### 1. *For unity*

The Meeting reaffirms that the strengthening of unity and the intensification of organization and education, with due regard for legality, are still immediate and pressing problems and are essential conditions for the health and development of the UPC;

It therefore decides to eliminate completely all disruptive tendencies which have appeared in the movement. The Meeting recommends that militants and organizations of the movement should use every possible means to defend this unity, which is a guarantee of the success of our struggle and of the dignity and greatness of the UPC;

In order to consolidate this unity, the Meeting sets up a Provisional National Office which shall centralize the work of the basic organizations and direct all activity of the UPC until the next congress;

The Provisional National Office of the UPC shall have twelve members, elected from among members of the Executive Committee and delegates of the parliamentary group and the sections. The present administrative secretary shall also be a member. A press section shall be attached to the Provisional National Office of the UPC;

##### 2. *Holding of the third congress*

The National Meeting of UPC Organizations recommends that the third congress of the UPC should be held in the second half of 1961, after full and serious preparation. The Provisional National Office of the UPC shall take all the necessary steps in this connexion;

##### 3. *Programme of action*

Considering that Cameroun can only be truly independent in a healthy political climate and with a strong and modern national economy, the Meeting asks the Government:

(a) To cleanse the political atmosphere by taking steps, with the help of all if necessary, to ensure the following:

The cessation of the policy of force and suffocation which is creating apparently intended confusion and which is being pursued against the UPC despite its reacquisition of legal status;

The restoration of all democratic freedoms by the repeal of emergency legislation;

The release of political prisoners;

The execution of a national—and not regional—programme of economic and social development in order to train and use the nation's youth for the benefit of the whole country, to provide well-paid openings in the labour market, protect employment and facilitate the sale of goods without the interference of the many middlemen who make their profits from the sweat of the Camerounians' brows;

Total independence and absolute neutrality of Cameroun with regard to both the west and the east;

The establishment of a Government of national unity, working on a national minimum programme acceptable to all;

The reunification of the national territory of Cameroun;

Revision of the Constitution.

Within the limits of legality, the UPC is ready to contribute all it can to carry out these measures.

The Meeting protests against the circumstances of the arrest and imprisonment of Deputy Owono Mimbo Simon and the unseating of Deputy Ngue Elie. This policy of the Government, and its majority in the Assembly, seem to mark the beginning of the elimination of UPC members from the Camerounian Parliament and of the drift of Cameroun towards

a one-party system of government brought about by force, corruption and trickery.

The Meeting calls upon the Government to end this policy, which is dangerous for a republic claiming to be democratic.

The Meeting demands that Deputy Owono Mimbo be released and that all the necessary steps be taken so that the next by-elections in the department of Kribi may be held legally and without any kind of administrative interference.

#### 4. *For the economic development of the country*

The Meeting calls upon the Government to begin work on the five-year plan and not to refuse any foreign aid, provided only that the sovereignty and independence of Cameroun are respected.

It is essential to act immediately to restore the economy of the disturbed departments and to raise wages and the prices of agricultural produce.

The Meeting calls upon the Government of the Republic and undertakes on behalf of the people to do everything to

ensure the success of the plebiscite which is to take place in February 1961 for the reunification of the two parts of Cameroun. The people should act by collecting funds and by other moral and material manifestations of solidarity.

#### 5. *For a return to the political struggle*

Considering that the UPC has regained its legal status and intends to act peacefully, the Meeting condemns the present terrorism, whatever its form or origin. The Meeting therefore recommends that all militants should further the programme of the UPC by political means.

Done and adopted in plenary meeting at Libamba (Makak), on 23 December 1960.

For the National Meeting of UPC Organizations  
and for the Presidium;

Chairman of the Meeting  
ZIBI Ibrahim

Secretary of the Meeting  
NIMGA Augustin

### DOCUMENT A/C.4/L.684

#### Central African Republic, Chad, Congo (Brazzaville), Dahomey, Gabon, Ivory Coast, Madagascar, Niger, Senegal and Upper Volta: draft resolution

[Original text: French]  
[15 April 1961]

*The General Assembly,*

*Bearing in mind* the basic objectives of the Trusteeship System as set forth in Article 76 of the Charter,

*Recalling* article 3 of the Trusteeship Agreement for the Cameroons under United Kingdom administration, approved by the General Assembly on 13 December 1946, according to which the Administering Authority undertook to "administer the Territory in such a manner as to achieve the basic objectives of the International Trusteeship System laid down in Article 76 of the United Nations Charter",

*Recalling* its resolutions 1350 (XIII), 1352 (XIV) and 1473 (XIV) concerning the future of the Cameroons under United Kingdom administration,

*Recalling* in particular operative paragraphs 6 and 7 of resolution 1473 (XIV), in which it recommended the further decentralization of governmental functions, the effective democratization of the system of local government and the separation of the administration of the Northern Cameroons from that of the Federation of Nigeria,

*Having considered* the report of the United Nations Plebiscite Commissioner (A/4727),

*Having heard* the statements of petitioners,

1. *Commends* the United Nations Plebiscite Commissioner and his staff for the work they have accomplished;

2. *Decides* to establish a Commission of six members elected by the General Assembly;

3. *Requests* the Commission to visit the two parts of the Territory of the Cameroons under United Kingdom administration, at a date to be agreed upon with the Administering Authority, to ascertain in particular:

(a) Whether the separation of the administration of the Northern Cameroons from that of Nigeria has been effected;

(b) Whether the basic objectives of the Trusteeship System can be regarded as achieved throughout the Territory of the Cameroons under United Kingdom administration;

4. *Requests* the Commission to submit to the General Assembly, at its sixteenth session, a report on those matters, together with such observations and recommendations as it may consider necessary to enable the Assembly to take appropriate measures in regard to the future of the Trust Territory.

### DOCUMENT A/C.4/L.684/REV.1

#### Central African Republic, Chad, Congo (Brazzaville), Dahomey, Gabon, Ivory Coast, Madagascar, Niger, Senegal and Upper Volta: revised draft resolution

[Original text: French]  
[19 April 1961]

*The General Assembly,*

*Bearing in mind* the basic objectives of the Trusteeship System as set forth in Article 76 of the Charter,

*Recalling* article 3 of the Trusteeship Agreement for the Cameroons under United Kingdom administration, approved by the General Assembly on 13 December 1946, according to which the Administering Authority

undertook to "administer the Territory in such a manner as to achieve the basic objectives of the International Trusteeship System laid down in Article 76 of the United Nations Charter",

*Recalling* its resolutions 1350 (XIII), 1352 (XIV) and 1473 (XIV) concerning the future of the Cameroons under United Kingdom administration,

*Recalling* in particular operative paragraphs 6 and 7 of resolution 1473 (XIV), in which it recommended the further decentralization of governmental functions, the effective democratization of the system of local government and the separation of the administration of the Northern Cameroons from that of the Federation of Nigeria,

*Having considered* the report of the United Nations Plebiscite Commissioner (A/4727),

*Having heard* the statements of petitioners,

1. *Commends* the United Nations Plebiscite Commissioner and his staff on the work they have accomplished;

2. *Decides* to establish a Commission of six mem-

bers elected by the General Assembly from among its Members;

3. *Requests* the Commission to visit the two parts of the Territory of the Cameroons under United Kingdom administration, at a date to be agreed upon with the Administering Authority, to ascertain whether the separation of the administration of the Northern Cameroons from that of Nigeria has been effectively carried out;

4. *Requests* the Commission to submit to the General Assembly, at its sixteenth session, a report on these various matters together with such observations and recommendations as it may consider necessary to enable the Assembly to take appropriate measures in regard to the future of the Trust Territory.

#### DOCUMENT A/C.4/L.685 and ADD.1\*

#### **Ethiopia, Federation of Malaya, India, Iran, Ireland, Jordan, Liberia, Libya, Morocco, Nepal, New Zealand, Pakistan, Saudi Arabia and Sudan: draft resolution**

[Original text: English]  
[18 April 1961]

*The General Assembly,*

*Recalling* its resolution 1350 (XIII) of 13 March 1959 concerning the future of the Trust Territory of the Cameroons under United Kingdom administration which recommended, *inter alia*, that the Administering Authority take steps, in consultation with the United Nations Plebiscite Commissioner, to organize, under the supervision of the United Nations, separate plebiscites in the northern and southern parts of the Cameroons under United Kingdom administration in order to ascertain the wishes of the inhabitants of the Territory concerning their future and that the plebiscite in the Northern Cameroons be held about the middle of November 1959 on the basis of the two alternatives set out in the said resolution,

*Recalling* its resolution 1352 (XIV) of 16 October 1959 whereby it decided, *inter alia*, that a plebiscite in the Southern Cameroons be held between 30 September 1960 and March 1961, on the basis of the two alternatives set forth in operative paragraph 2 of the said resolution,

*Recalling further* its resolution 1473 (XIV) of 12 December 1959 in which the Assembly, having considered the results of the plebiscite in the northern part of the Cameroons under United Kingdom administration, recommended the organization by the Administering Authority, in consultation with the United Nations Plebiscite Commissioner, of a further plebiscite to be held in the Northern Cameroons under United Nations supervision between 30 September 1960 and March 1961, on the basis of the two questions defined in the said resolution,

*Having examined* the report of the United Nations Plebiscite Commissioner concerning the two plebiscites held in the Northern and the Southern Cameroons in February 1961 (A/4727) and the report of the Trusteeship Council thereon (A/4726),

*Having heard* the petitioners,

1. *Expresses its high appreciation* of the work of the United Nations Plebiscite Commissioner and his staff;

\* By document A/C.4/L.685/Add.1, dated 19 April 1961, the Federation of Malaya and Liberia were added to the list of sponsors of the draft resolution.

2. *Endorses* the results of the plebiscites that:

(a) The people of the Northern Cameroons have, by a substantial majority, decided to achieve independence by joining the independent Federation of Nigeria; and

(b) That the people of the Southern Cameroons have similarly decided to achieve independence by joining the independent Republic of Cameroun;

3. *Considers* that, the people of the two parts of the Trust Territory having freely and secretly expressed their wishes with regard to their respective futures in accordance with General Assembly resolutions 1352 (XIV) and 1473 (XIV), the decisions made by them through democratic processes under the supervision of the United Nations should be immediately implemented;

4. *Decides* that, the plebiscites having been taken separately with differing results, the Trusteeship Agreement of 13 December 1946 concerning the Cameroons under United Kingdom administration shall be terminated in accordance with Article 76 b of the Charter and in agreement with the Administering Authority in the following manner;

(a) With respect to the Northern Cameroons, on 1 June 1961, upon its joining the Federation of Nigeria as a separate province of the Northern Region of Nigeria;

(b) With respect to the Southern Cameroons, on 1 October 1961, upon its joining the Republic of Cameroun;

5. *Invites* the Administering Authority, the Government of the Southern Cameroons and the Republic of Cameroun to initiate urgent discussions with a view to finalizing, before 1 October 1961, the arrangements by which the agreed and declared policies of the concerned parties for a union of the Southern Cameroons with the Republic of Cameroun into a Federal United Cameroun Republic will be implemented;

6. *Appoints* a Commission of three constitutional and administrative experts to be nominated one each by three Member States designated by the General Assembly to assist in the discussions referred to in paragraph 5 above.

## DOCUMENT A/C.5/866

## Financial implications of the draft resolution submitted by the Fourth Committee in document A/4737: note by the Secretary-General

[Original text: English]  
[20 April 1961]

1. The Fourth Committee, at its 1152nd meeting on 19 April 1961 adopted a draft resolution (A/4737, para. 15), appointing a commission of three constitutional and administrative experts to be nominated one each by three Member States designated by the General Assembly to assist in discussions with the Administering Authority, the Government of the Southern Cameroons and the Republic of Cameroun.

2. The adoption of this draft resolution would result in additional financial requirements of some \$46,000 to be incurred during 1961. This amount is estimated as follows:

	United States dollars
(a) <i>Salaries and wages</i> .....	11,500
(i) Honoraria for the three members of this commission may amount to a total of \$10,500. The estimate is based on a total period of ten weeks during which the commission will perform its work;	
(ii) Replacement of two secretaries detailed to the commission at a cost of \$1,000.	
(b) <i>Travel and subsistence</i> .....	24,700
(i) Travel and subsistence costs for the three members of the commission (\$11,800). It is assumed that the commission will be in the territory up to six weeks and will work in New York for a period of four weeks;	
(ii) Travel and subsistence costs for the	

	United States dollars
members of the Secretariat will amount to \$12,900. The estimate is based on the assumption that the commission will be served by one principal secretary, one legal officer, one administrative officer and two secretaries.	
(c) <i>Local transportation</i> .....	6,000
The estimate comprises provision for local air transportation (\$4,000) and for the rental of cars (\$2,000).	
(d) <i>Communications and freight</i> .....	1,000
The estimate provides for the cost of cables, telephone, pouches, and related expenses.	
(e) <i>Miscellaneous supplies and services</i> .....	2,800
Provision has been made for clothing allowances of \$150 per staff member (\$600); medical supplies and services (\$500); stationery, office supplies and miscellaneous items \$1,500; local interpreters may require \$200.	

3. Should the draft resolution as recommended by the Fourth Committee be adopted by the General Assembly, financial commitments up to \$46,000 will have to be made for which no budgetary provision is included in the 1961 budget. In that event the Secretary-General would propose to meet these requirements as unforeseen expenses for the financial year 1961, and will submit supplementary estimates to the General Assembly at its sixteenth session in this regard.

## DOCUMENT A/4737

## Report of the Fourth Committee on agenda item 13 (part I): The future of the Cameroons under United Kingdom administration

[Original text: English]  
[20 April 1961]

1. At its 881st meeting, on 1 October 1960, the General Assembly allocated the following item on its agenda to the Fourth Committee:

"13. Report of the Trusteeship Council".

2. This item consisted, on the one hand, of the general report of the Trusteeship Council covering its activities from 7 August 1959 to 30 June 1960 (A/4404) and, on the other hand, of the special report of the Trusteeship Council on the future of the Cameroons under United Kingdom administration (A/4726) and the report of the United Nations Plebiscite Commissioner for the Cameroons under United Kingdom administration (A/4727), which was transmitted to the General Assembly by the Trusteeship Council.

3. At its 1141st meeting, on 13 April 1961, the Committee decided to consider separately and first the question of the future of the Cameroons under United Kingdom administration.

4. In addition to the two above-mentioned reports, documentation before the Committee included a cable dated 14 February 1961 from the Permanent Representative of Cameroun (A/4695), and a cable dated 19 February 1961 from the Government of Cameroun (A/4699), both addressed to the Secretary-General, a

letter dated 10 April 1961 from the representative of the United Kingdom on the Fourth Committee (A/C.4/479), and a letter dated 12 April 1961 from the Permanent Representative of Nigeria (A/C.4/481), both addressed to the Chairman of the Fourth Committee.

5. Requests for oral hearings in connexion with this item<sup>16</sup> were granted at the meetings indicated below to the following petitioners who appeared before the Committee:

Petitioner	Request granted Meeting
(a) <i>First part of the fifteenth session:</i>	
Chief Rosiji (Action Group, Northern Cameroons)	1004th
Mr. Ibrahim Abba (on behalf of the Northern Kamerun Democratic Party)	1012th
Mr. Ibrahim Abba (on behalf of One Kamerun)	1086th
(b) <i>Second part of the fifteenth session:</i>	
Mr. Ndeh Ntumazah (One Kamerun)	1098th
Mr. Samuel Ando Seh (Cameroons People's National Convention, Nkambe Division)	1098th
Chief Martin (Bakweri Molongo)	1098th

<sup>16</sup> These requests are contained in documents A/C.4/445 and Add.1-3 and A/C.4/469 and Add.1-8.

<i>Petitioner</i>	<i>Request granted Meeting</i>
Mr. Sam Endeley (Bakweri Molongo)	1098th
Mr. Ibrahim Abba (Northern Kamerun Democratic Party)	1098th
Mr. Muhammadu Iya (Northern Kamerun Democratic Party)	1098th
Mr. Samuel Samwe (Kamerun Freedom Party)	1098th
Mr. E. M. L. Endeley (Cameroons People's National Convention)	1098th
Mr. N. N. Mbile (Cameroons People's National Convention, Kumba Division)	1098th
Mr. F. Ajebe Sone (Cameroons People's National Convention, Bakossi Mwane-Ngoe)	1098th
Chief Bokwe Sakwe (Cameroons People's National Convention, Balondo Mokanya)	1098th
Mr. Oumarou Michika (Kamerun Freedom Party)	1108th
Mr. J. N. Foncha (Kamerun National Democratic Party)	1108th
Mr. Tetang (Deputy to the National Assembly of the Republic of Cameroun)	1120th
Mr. Manga Mado (Deputy to the National Assembly of the Republic of Cameroun)	1120th
Malam Yero (Deputy to the National Assembly of the Republic of Cameroun)	1120th
Mrs. Marie N'Gapeth (Union démocratique des femmes camerounaises)	1128th
Mr. Kapet de Bana (Union des populations du Cameroun)	1130th
Mr. Bebey-Eyidi (Deputy to the National Assembly of the Republic of Cameroun)	1140th
Mr. Mayi Matip (Deputy to the National Assembly of the Republic of Cameroun, representing the Parliamentary Group of the Union des populations du Cameroun)	1140th

6. During the first part of the fifteenth session, although the Committee did not consider the question of the future of the Cameroons, it heard, at its 1081st and 1096th meetings, the two petitioners listed in section (a) above to whom it had granted hearings on this question.

7. The Committee began consideration of this question at its 1141st meeting when the United Nations Plebiscite Commissioner introduced his report. From the 1142nd to the 1147th meeting, he replied to questions put to him by members of the Committee. During these meetings, and also at the 1151st meeting, the Committee proceeded to the hearing of the petitioners listed in section (b) above, who made statements and replied to questions put to them by members of the Committee.

8. At the 1146th meeting a draft resolution was submitted by the Central African Republic, Chad, Congo (Brazzaville), Dahomey, Gabon, Ivory Coast, Madagascar, Niger, Senegal and Upper Volta (A/C.4/L.684), which was subsequently revised by the sponsors at the 1150th meeting (A/C.4/L.684/Rev.1) and again at the 1151st meeting (A/C.4/L.684/Rev.2). The second revised version read as follows:

*"The General Assembly,*

*"Bearing in mind the basic objectives of the Trusteeship System as set forth in Article 76 of the Charter,*

*"Recalling article 3 of the Trusteeship Agreement for the Cameroons under United Kingdom administration, approved by the General Assembly on 13 December 1946, according to which the Administer-*

*ing Authority undertook to 'administer the Territory in such a manner as to achieve the basic objectives of the International Trusteeship System laid down in Article 76 of the United Nations Charter',*

*"Recalling its resolutions 1350 (XIII), 1352 (XIV) and 1473 (XIV) concerning the future of the Cameroons under United Kingdom administration,*

*"Recalling in particular operative paragraphs 6 and 7 of resolution 1473 (XIV), in which it recommended the further decentralization of governmental functions, the effective democratization of the system of local government and the separation of the administration of the Northern Cameroons from that of the Federation of Nigeria,*

*"Having considered the report of the United Nations Plebiscite Commissioner (A/4727),*

*"Having heard the statements of petitioners,*

*"1. Commends the United Nations Plebiscite Commissioner and his staff for the work they have accomplished;*

*"2. Decides to establish within the General Assembly a commission of six elected members, which will proceed immediately to the Northern Cameroons under United Kingdom administration in order to ascertain whether the safeguards recommended in operative paragraphs 6 and 7 of General Assembly resolution 1473 (XIV) and in operative paragraph 3 of Trusteeship Council resolution 2013 (XXVI) prior to the plebiscite of 11 and 12 February 1961 have been effectively applied;*

*"3. Recommends the Administering Authority, in consultation with the Commission referred to in the preceding paragraph, to hold legislative elections on the basis of universal suffrage in the Northern Cameroons under United Kingdom administration in July 1961, with a view to establishing a Legislative Assembly and a democratic Government in that Territory;*

*"4. Requests the Commission to submit a report on these various matters to the General Assembly, at its sixteenth session and before 30 September 1961, together with such observations and recommendations as it may consider necessary to enable the Assembly to take appropriate measures in regard to the future of the Territory, where the trusteeship should be terminated before 31 December 1961."*

9. At the 1148th meeting, a further draft resolution (A/C.4/L.685) was submitted by Ethiopia, India, Iran, Ireland, Jordan, Libya, Morocco, Nepal, New Zealand, Pakistan, Saudi Arabia and Sudan. At the 1150th meeting, the Federation of Malaya and Liberia joined as co-sponsors (A/C.4/L.685/Add.1).

10. The Committee considered the two draft resolutions from its 1148th to its 1153rd meeting.

11. At the 1152nd meeting, the representative of Guinea orally proposed an amendment to draft resolution A/C.4/L.685 and Add.1, to the effect that in operative paragraph 6, the words "at the request of the parties concerned" should be inserted after the words "to assist". This amendment was accepted by the sponsors.

12. At the same meeting the representative of Afghanistan proposed that the Committee should vote first on draft resolution A/C.4/L.685 and Add.1. This proposal was adopted by a roll-call vote of 41 to 28, with 18 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Australia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Cuba, Czechoslovakia, Denmark, Ethiopia, Federation of Malaya, Guinea, Hungary, India, Indonesia, Iran, Ireland, Japan, Libya, Mali, Mexico, Nepal, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Sudan, Sweden, Thailand, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Yugoslavia.

*Against:* Austria, Belgium, Bolivia, Cambodia, Cameroun, Central African Republic, Chad, Chile, China, Congo (Brazzaville), Congo (Leopoldville), Dahomey, France, Gabon, Haiti, Israel, Italy, Ivory Coast, Liberia, Luxembourg, Madagascar, Niger, Paraguay, Portugal, Senegal, Spain, Upper Volta, Uruguay.

*Abstaining:* Argentina, Brazil, Canada, Costa Rica, Cyprus, Dominican Republic, Finland, Ghana, Greece, Honduras, Iraq, Jordan, Lebanon, Togo, Turkey, Union of South Africa, United Arab Republic, Venezuela.

13. The Committee therefore voted first on draft resolution A/C.4/L.685 and Add.1. The voting was as follows:

The preambular paragraphs were adopted by a roll-call vote of 66 to 13, with 5 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Ceylon, Chile, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guinea, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Italy, Japan, Jordan, Lebanon, Liberia, Libya, Luxembourg, Mali, Mexico, Nepal, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Sudan, Sweden, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Cameroun, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, France, Gabon, Ivory Coast, Madagascar, Niger, Senegal, Upper Volta.

*Abstaining:* Cambodia, Haiti, Portugal, Spain, Togo.

Sub-paragraph (a) of operative paragraph 2 was adopted by a roll-call vote of 60 to 14, with 10 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Australia, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Ceylon, Chile, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, Ghana, Guinea, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Nepal, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Saudi Arabia,

Sudan, Sweden, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Belgium, Cameroun, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, France, Gabon, Ivory Coast, Madagascar, Niger, Senegal, Upper Volta.

*Abstaining:* Argentina, Cambodia, Greece, Haiti, Italy, Japan, Luxembourg, Portugal, Spain, Togo.

Operative paragraph 3 was adopted by 59 votes to 15, with 10 abstentions.

The words "as a separate province of the Northern Region of Nigeria" in sub-paragraph (a) of operative paragraph 4 were adopted by a roll-call vote of 55 to 20, with 9 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Australia, Austria, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Ceylon, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Japan, Jordan, Lebanon, Libya, Mexico, Nepal, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Sudan, Sweden, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Argentina, Belgium, Cameroun, Central African Republic, Chad, Chile, Congo (Brazzaville), Congo (Leopoldville), Dahomey, France, Gabon, Ghana, Guinea, Italy, Ivory Coast, Luxembourg, Madagascar, Niger, Senegal, Upper Volta.

*Abstaining:* Brazil, Cambodia, Greece, Haiti, Liberia, Mali, Portugal, Spain, Togo.

The words "1 October 1961" in sub-paragraph (b) of operative paragraph 4 were adopted by 50 votes to 2, with 12 abstentions.

The words "before 1 October 1961" in operative paragraph 5 were adopted by 50 votes to 2, with 12 abstentions.

The words "into a Federal United Cameroun Republic" in operative paragraph 5 were adopted by a roll-call vote of 29 to 6, with 33 abstentions. The voting was as follows:

*In favour:* Australia, Burma, Costa Rica, Cuba, Cyprus, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, Honduras, India, Indonesia, Iran, Ireland, Libya, Mexico, Nepal, New Zealand, Nigeria, Norway, Pakistan, Philippines, Saudi Arabia, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

*Against:* Argentina, Brazil, Ghana, Guinea, Italy, Mali.

*Abstaining:* Afghanistan, Albania, Bolivia, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, Czechoslovakia, Greece, Haiti, Hungary, Iraq, Japan, Jordan, Lebanon, Liberia, Luxembourg, Poland, Portugal, Romania, Spain, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic,

United States of America, Venezuela, Yemen, Yugoslavia.

Operative paragraph 5 as a whole was adopted by 61 votes to none, with 17 abstentions.

Operative paragraph 6 as revised was adopted by 48 votes to none, with 17 abstentions.

The draft resolution (A/C.4/L.685 and Add.1) as revised was adopted as a whole by a roll-call vote of 59 to 2, with 9 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Australia, Austria, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Ceylon, Chile, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, Ghana, Guinea, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Nepal, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Sudan, Sweden, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yemen, Yugoslavia.

*Against:* Luxembourg, Paraguay.

*Abstaining:* Argentina, Brazil, Cambodia, Greece, Haiti, Italy, Portugal, Spain, Togo.

14. At its 1153rd meeting, the Committee decided, without objection, that, in view of the adoption of draft resolution A/C.4/L.685 and Add.1, it would not vote on draft resolution A/C.4/L.684/Rev.2.

### Recommendations of the Fourth Committee

15. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

#### THE FUTURE OF THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION

##### *The General Assembly,*

*Recalling* its resolution 1350 (XIII) of 13 March 1959 concerning the future of the Trust Territory of the Cameroons under United Kingdom administration which recommended, *inter alia*, that the Administering Authority take steps, in consultation with the United Nations Plebiscite Commissioner, to organize, under the supervision of the United Nations, separate plebiscites in the northern and southern parts of the Cameroons under United Kingdom administration, in order to ascertain the wishes of the inhabitants of the Territory concerning their future, and that the plebiscite in the Northern Cameroons be held about the middle of November 1959 on the basis of the two questions set out in paragraph 2 of the said resolution.

*Recalling* its resolution 1352 (XIV) of 16 October 1959 whereby it decided, *inter alia*, that a plebiscite in the Southern Cameroons be held between 30 September 1960 and March 1961, on the basis of the two questions set forth in paragraph 2 of the said resolution,

*Recalling further* its resolution 1473 (XIV) of 12 December 1959 in which the Assembly, having consid-

ered the results of the plebiscite in the northern part of the Cameroons under United Kingdom administration, recommended the organization by the Administering Authority, in consultation with the United Nations Plebiscite Commissioner, of a further plebiscite to be held in the Northern Cameroons under United Nations supervision between 30 September 1960 and March 1961, on the basis of the two questions defined in paragraph 3 of the said resolution,

*Having examined* the report of the United Nations Plebiscite Commissioner concerning the two plebiscites held in the Northern and the Southern Cameroons in February 1961 (A/4727) and the report of the Trusteeship Council thereon (A/4726),

*Having heard* the petitioners,

1. *Expresses its high appreciation* of the work of the United Nations Plebiscite Commissioner and his staff;

2. *Endorses* the results of the plebiscites that:

(a) The people of the Northern Cameroons have, by a substantial majority, decided to achieve independence by joining the independent Federation of Nigeria;

(b) The people of the Southern Cameroons have similarly decided to achieve independence by joining the independent Republic of Cameroun;

3. *Considers* that, the people of the two parts of the Trust Territory having freely and secretly expressed their wishes with regard to their respective futures in accordance with General Assembly resolutions 1352 (XIV) and 1473 (XIV), the decisions made by them through democratic processes under the supervision of the United Nations should be immediately implemented;

4. *Decides* that, the plebiscites having been taken separately with differing results, the Trusteeship Agreement of 13 December 1946 concerning the Cameroons under United Kingdom administration shall be terminated, in accordance with Article 76 b of the Charter of the United Nations and in agreement with the Administering Authority, in the following manner:

(a) With respect to the Northern Cameroons, on 1 June 1961, upon its joining the Federation of Nigeria as a separate province of the Northern Region of Nigeria;

(b) With respect to the Southern Cameroons, on 1 October 1961, upon its joining the Republic of Cameroun;

5. *Invites* the Administering Authority, the Government of the Southern Cameroons and the Republic of Cameroun to initiate urgent discussions with a view to finalizing, before 1 October 1961, the arrangements by which the agreed and declared policies of the concerned parties for a union of the Southern Cameroons with the Republic of Cameroun into a Federal United Cameroun Republic will be implemented;

6. *Appoints* a Commission of three constitutional and administrative experts to be nominated one each by three Member States designated by the General Assembly to assist at the request of the parties concerned in the discussions referred to in paragraph 5 above.

## DOCUMENT A/4742

**Financial implications of the draft resolution submitted by the Fourth Committee in document A/4737: report of the Fifth Committee**

[Original text: English]  
[20 April 1961]

1. In accordance with the provisions of rule 154 of the rules of procedure of the General Assembly, the Fifth Committee, at its 845th meeting held on 20 April 1961, considered the financial implications of the draft resolution adopted by the Fourth Committee at its 1152nd meeting (A/4737, para. 15).

2. For this purpose, the Committee had before it a statement of financial implications submitted by the Secretary-General (A/C.5/866). The Chairman of the Advisory Committee on Administrative and Budgetary Questions orally submitted the report of that Committee.

3. The Fifth Committee decided, without objection, to inform the General Assembly that the adoption of the draft resolution recommended by the Fourth Committee would give rise to additional expenditures in 1961 of some \$46,000 which would be included in the supplementary estimates for 1961 to be submitted to the General Assembly at its sixteenth session.

## DOCUMENTS A/4498 and ADD.1

**Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General****Document A/4498**

[Original text: English]  
[26 September 1960]

## INTRODUCTION

1. The United Nations programme of scholarships and fellowships for inhabitants of the Trust Territories was initiated by the General Assembly in resolution 557 (VI) of 18 January 1952. By this resolution and by resolution 753 (VIII) of 9 December 1953, the General Assembly invited Member States of the United Nations to make available to qualified students from Trust Territories, scholarships, fellowships and internships for university study, post-primary and technical education. The General Assembly, in resolution 557 (VI), also invited the Trusteeship Council to request the Secretary-General to make such arrangements as might be necessary to ensure the efficient administration of all the offers that might be made. The scholarship programme is accordingly administered under the procedure approved by the Trusteeship Council at its thirteenth session (T/1093, annex).

2. At its fourteenth session the General Assembly, in resolution 1411 (XIV) of 5 December 1959, among other things, having expressed regret that the greater part of the scholarships offered by Member States remained unutilized, invited the Administering Authorities to take all necessary measures consistent with the interests and needs of the Trust Territories and their peoples to ensure that the scholarships and training facilities offered by Member States might be utilized by inhabitants of these Territories, and to render every assistance to those persons who had applied for or had been granted scholarships or fellowships, particularly with regard to facilitating their travel formalities. It also requested all Administering Authorities which had not done so to give the fullest publicity in the Trust Territories under their administration to all offers of study and training facilities made by Member States. The Sec-

retary-General was requested in the same resolution to give such assistance as was possible and as might be sought by the Member States concerned and by the applicants and to prepare for the fifteenth session of the General Assembly a report concerning the actual use of the scholarships and training facilities offered by Member States to students from the Trust Territories.

3. The present report has been prepared on the basis of information submitted to the Secretary-General by the offering States, and gives details of the scholarships which were offered for the academic year 1959-1960 and of their utilization. It also contains such information as was available up to 31 August 1960 concerning the offers for the year 1960-1961.<sup>17</sup>

4. For the year 1959-1960, thirteen Member States offered a total of 121 scholarships and fellowships, out of which forty-three were specifically offered to students from Trust Territories and seventy-eight offered to students from both Trust and Non-Self-Governing Territories. Of the 121 scholarships, twenty-nine were utilized during the year by Trust Territory students. In addition to these, the Secretary-General was informed by two Member States which previously had had scholarships under offer, of the utilization during 1959-1960 of a further ten scholarships by Trust Territory students. There were also forty-six renewals during 1959-1960 to Trust Territory students of scholarships which had been granted in previous years and seven scholarships were awarded and utilized outside of the United Nations programme. Thus, during 1959-1960 ninety-two students from Trust Territories or former Trust Territories were, according to the information transmitted to the Secretary-General, studying on scholarships awarded them by Member States of the United Nations. Thirty-seven of the ninety-two students were studying in India, seventeen in Czechoslovakia, twelve in the United States, twelve in Yugoslavia, six in Poland, four in Tunisia and four in the Soviet Union. Thirty-one of the

<sup>17</sup> See annex for table of scholarships, awards and utilization of scholarships.

ninety-two students were from the former Togoland under French administration, twenty-eight from Tanganyika, fifteen from the Cameroons under United Kingdom administration, eight from the former Togoland under United Kingdom administration, seven from the former Cameroons under French administration, two from the former Somaliland under Italian administration and one from Western Samoa.

5. It is not possible to give a precise figure on how many of the scholarships under offer for 1959-1960 remained unused since complete information on the disposal of a number of scholarships was not available to the Secretary-General. The Secretary-General was informed, however, in respect of thirteen scholarships, that no awards had been made. Moreover, two students, one from the former Cameroons under French administration and one from Tanganyika, awarded scholarships by the Government of the Union of Soviet Socialist Republics, failed to take up their scholarships because they were unable to obtain the necessary travel documents. In the latter case, the Administering Authority gave an assurance at the twenty-sixth session of the Trusteeship Council that the case would be reviewed.<sup>18</sup> In this connexion, the Government of Czechoslovakia also commented that students awarded scholarships had had difficulties in obtaining their travel documents. Two students were also unable to take up their awards, offered by the Governments of Burma and the Philippines, respectively, because they were unable to obtain the necessary travel funds. With respect to a further fifteen scholarships, the processing of the applications and the necessary formalities were completed only later in the year and the scholarships were therefore reoffered for the academic year 1960-1961. In one case, an award was made and the student was expected to begin his studies in the academic year 1960-1961.

6. For the academic year 1960-1961, thirteen Member States offered a total of 142 scholarships to students from Trust Territories of which ninety-eight were also available to students from Non-Self-Governing Territories. The Secretary-General had been informed, as at 31 August 1960, that, of the 142 scholarships under offer for 1960-1961, fifty-three had been awarded, ten of them to students from Trust Territories. The Secretary-General was also informed in May 1960 of the establishment in Moscow of a University of Friendship among Nations which would admit, among others, inhabitants from Trust and Non-Self-Governing Territories.

7. Under the procedure for the administration of the scholarships programme, the Secretary-General submits a report to the Trusteeship Council at least once a year containing all appropriate details of the progress of the programme. The last such report (T/1535) which covered the period from 3 June 1959 to 2 June 1960, was submitted to, and discussed by, the Council at its twenty-sixth session.

8. According to the procedure approved by the Council, applications for the scholarships under offer may either be submitted through the Administering Authority concerned or through the Secretary-General. In the latter case, the Secretary-General forwards the application to the offering State and transmits a copy to the Administering Authority. During the year from 3 June 1959 to 2 June 1960, the Secretary-General received a total of 103 applications of which forty-seven were from the former Togoland under French adminis-

tration, thirty-one from the Cameroons under United Kingdom administration, twenty from Tanganyika, four from the former Cameroons under French administration and one from the former Somaliland under Italian administration. No applications were received from any of the Trust Territories in the Pacific nor were any received from Ruanda-Urundi. From June 1960 to 31 August 1960, thirty-eight applications were received of which thirty-two were from the Cameroons under United Kingdom administration, five from Tanganyika and one from Ruanda-Urundi.

9. Information regarding the scholarships under offer is communicated to the Administering Authorities concerned. Information is also sent to intending applicants, upon request, in a brochure which describes all current offers and explains how to apply for the scholarships. During the year from 3 June 1959 to 2 June 1960, 253 brochures were sent out in this manner, eighty-two of them to the Cameroons under United Kingdom administration, seventy-nine to Tanganyika, seventy to the former Togoland under French administration, twelve to the former Cameroons under French administration, one to Ruanda-Urundi and one to the former Somaliland under Italian administration. In addition, eight were sent to students not resident in Trust Territories. No requests for information were received from students of any of the Trust Territories in the Pacific. Between June 1960 and 31 August 1960, fifty-two brochures were sent out, twenty-eight of them to Tanganyika and twenty-four to the Cameroons under United Kingdom administration.

10. Brochures are also periodically sent to the appropriate United Nations information centres, and the United Nations visiting missions are supplied with copies for distribution among likely candidates. In accordance with the approved procedure, information on the scholarship programme is also transmitted to the United Nations Educational, Scientific and Cultural Organization for publication in the handbook *Study Abroad*.

#### I. SCHOLARSHIPS AND FELLOWSHIPS UNDER OFFER 1959-1960 and 1960-1961

11. The Government of Burma continued during 1959-1960 and 1960-1961 its offer originally made in 1955 of three scholarships for students from Trust Territories. The scholarships include free tuition, a book allowance and a monthly maintenance grant. Travel costs are not included.

12. The Government of Czechoslovakia has since 1956-1957 made yearly offers of scholarships available to students from both the Trust Territories and the Non-Self-Governing Territories. By a letter dated 29 April 1960, the Secretary-General was informed that, for 1959-1960, fifteen such scholarships had been offered, which were in addition to a total of thirty-five scholarships offered previously. For the academic year 1960-1961, twenty more scholarships would be offered. The scholarships are for university studies, tenable for from four to six years and include a sum for personal expenses, board and lodging expenses and free medical care. Round-trip travel expenses are also included in the scholarships.

13. By a note dated 24 September 1958, the Secretary-General was informed that the Government of the Hungarian People's Republic had offered, for the year 1959-1960, five scholarships to students from Trust and

<sup>18</sup> See A/4404, part II, chap. I, para. 219.

Non-Self-Governing Territories. These scholarships were for university studies and included a monthly allowance, board and lodging expenses, free medical care and occasional grants for clothing. Round-trip travel expenses were also included. By a further letter dated 26 April 1960, the Secretary-General was informed that a thorough examination of the applications received for the scholarships had revealed a lack of adequate previous training by the candidates which would raise difficulties in their studies. With a view of removing these difficulties, the respective Hungarian institutions would organize, in addition to the Hungarian language courses already planned, one-year courses of preliminary training in cases when it seemed necessary. The students participating in these supplementary courses would naturally be awarded the offered scholarships during this period as well.

14. For the academic year 1960-1961, ten scholarships (including the five for 1959-1960) would be offered.

15. The Government of India has since 1952-1953 made yearly offers of scholarships to students from Trust Territories under the Government of India cultural scholarships scheme. By a note dated 6 August 1958, the Secretary-General was informed that the offer for the academic year 1959-1960 would be eight scholarships, four of which were reserved for students from Tanganyika and four for students from other Trust Territories. As in previous years, the scholarships were for university studies and included free tuition and fees and a monthly allowance for board and lodging. Round-trip travel expenses were also included. By a note dated 16 September 1959, the Secretary-General was further informed that, for the academic year 1960-1961, the Government of India was offering nine scholarships to students from Trust Territories, five of which would be reserved for students from Tanganyika and four for students from other Trust Territories.

16. The Government of Indonesia continued during 1959-1960 and 1960-1961 its offer originally made in 1953 of six fellowships for Trust Territory students. These fellowships are for students who have completed their university education and four are for study in Indonesia and two for study abroad. The fellowships include free tuition and other fees and monthly allowances for board, lodging and clothing. Round-trip travel expenses are also included.

17. By a note dated 4 March 1959, the Secretary-General was informed that the Government of Italy was making available for the academic year 1959-1960 ten scholarships to students from Trust and Non-Self-Governing Territories. These scholarships were for study at Italian universities and included a monthly allowance of 60,000 lire as well as payment of university taxes and fees and assistance in procuring board and lodging. Round-trip travel expenses were included in the scholarships. By a further note dated 15 March 1960, the Secretary-General was informed that the Government of Italy had offered ten more scholarships for the year 1960-1961 and that this offer would be supplemented by any scholarships it was not possible to award during 1959-1960.

18. The Government of Mexico continued during 1959-1960 and 1960-1961 its offer, originally made in 1956, of thirteen scholarships for students from Trust and Non-Self-Governing Territories. The scholarships include free tuition, board and lodging. Travel expenses are not included.

19. The Government of the Philippines continued during 1959-1960 and 1960-1961 its offer, originally made in 1952, of eleven scholarships for students from Trust Territories. These scholarships include free tuition and fees. Travel expenses and board and lodging expenses are not included.

20. In 1956, the Government of the Romanian People's Republic originally offered two scholarships to students from Trust and Non-Self-Governing Territories. This offer was increased to five scholarships in 1958. By a note dated 6 August 1959, the Secretary-General was informed that the number of scholarships had again been increased, to twenty. The scholarships are for study in the faculties of mathematics, petrol, agronomy, chemistry, medicine and Romanian philology. The students receive a monthly allowance of 1,000 lei. Return passage is included in the scholarships.

21. The Government of Tunisia originally offered, for the academic year 1957-1958, ten scholarships for secondary education, agriculture or university studies to students from both Trust and Non-Self-Governing Territories. The offer was continued during 1959-1960 and 1960-1961. The scholarships include board and lodging expenses and a monthly allowance for university students. Travel expenses are not included in the scholarships except from the Tunisian border.

22. The Government of Turkey continued during 1959-1960 its offer, originally made in 1953, of two scholarships for students from Trust and Non-Self-Governing Territories for vocational and technical training. By a note dated 13 April 1960, the Secretary-General was informed that the scholarships included all tuition expenses and a monthly allowance of £T175, an annual allowance of £T350 (clothing and books) and an allowance of £T300 every two years for the purchase of an overcoat. Travel expenses were not included in the scholarships. By a further note dated 29 August 1960, the Secretary-General was informed that the number of scholarships had been increased from two to five. Since the scholarships had all been awarded, however, it was not possible to accept further applications.

23. The Government of the Union of Soviet Socialist Republics originally offered, in 1955, ten scholarships to students from Trust and Non-Self-Governing Territories. These scholarships were for university studies and included allowances for board and lodging, equipment and books and free medical care. Round-trip travel expenses were also included. By a note dated 4 August 1959, the Secretary-General was informed that all the scholarships had been allocated and consequently no further applications were transmitted for these scholarships.

24. By a letter dated 2 May 1960, the Secretary-General was informed of the establishment in Moscow of a University of Friendship among Nations. The University would admit, among others, inhabitants from Trust and Non-Self-Governing Territories. An enrolment of 500 was contemplated for 1960, with the eventual enlargement of the student body to 3,000 or 4,000. The University would train specialists in the following fields: engineering, agriculture, medicine, physico-mathematical and natural sciences, economics and economic planning, history and philology and international law. The course of study at the University would be four years, or five years for medicine. Persons who had not completed the necessary preparatory studies might be admitted to the University's preparatory division where they would be able to complete their secondary educa-

tion in one to three years. Persons not knowing Russian would also enter the preparatory division for up to one year in order to learn the language. All costs for tuition fees, medical services, hostel accommodation and travel to and from the Soviet Union would be borne by the Soviet Government. Applications for these scholarships were to be sent either to the Admission Committee of the University or through the appropriate Soviet embassies or consulates.

25. The United States of America has since 1952 made yearly offers of scholarships to students from Trust Territories. By a note dated 27 May 1959, the Secretary-General was informed that for 1959-1960 five scholarships were to be offered. As in previous years, these scholarships were initially for a period of one year, but consideration was given to renewals when the academic performances of the candidates so justified. The scholarships included funds for maintenance, orientation, tuition and fees. Round-trip travel expenses were also included.

26. By a further note dated 20 January 1960 the Secretary-General was informed that the United States Government would again offer five scholarships to students from Trust Territories for the academic year 1960-1961.

27. In addition to the above, indigenous inhabitants of various territories in Africa, including the Trust Territories, are eligible for aid under the technical assistance programme of the International Cooperation Administration in response to requests made by the Administering Authorities concerned.

28. The Government of Yugoslavia originally offered, in 1952, five scholarships and five fellowships to students from Trust Territories. By a note dated 4 April 1960, however, the Secretary-General was informed that as there had been no prospective candidates for the fellowships it had been decided to withdraw them and to increase the number of scholarships under offer to six. By a further letter dated 21 April 1960, the Secretary-General was informed that ten new scholarships would be offered beginning with the academic year 1960-1961. The scholarships are for university studies and include allowances for board and lodging and pocket money. Medical care is also provided. Complete round-trip travel expenses are included in the scholarships. Formerly, these expenses were paid from and to Casablanca or Cairo.

## II. AWARDS AND UTILIZATION OF THE SCHOLARSHIPS

29. By a note dated 18 June 1959, the Secretary-General was informed of the award by the Government of Burma of a scholarship to a student from the Cameroons under United Kingdom administration. The student was subsequently unable to take up the scholarship due to his inability to obtain travel funds.

30. By a note dated 29 April 1960, the Secretary-General was informed that, during the academic year 1959-1960, fifty-one students, of whom seventeen were from Trust Territories (sixteen from the former Togoland under French administration and one from Tanganyika), were studying in Czechoslovakia. Of these, four had begun their studies during 1959-1960. The Permanent Representative of Czechoslovakia in his letter of 29 April 1960 stated: "This high measure of use of these offers was attained with big difficulties which are caused by the Administering Authorities. As in the last years, the Administering Authorities obstructed

also in this year the use of our offers by making difficulties when issuing travel documents. Many students were delayed in this way and they had to double their efforts in order to catch up the lost time".

31. By a note dated 26 May 1960, the Secretary-General was informed that it had not been possible to award the five scholarships offered for 1959-1960 by the Hungarian Government because 90 per cent of the applications had arrived too late. The scholarships were therefore added to the five offered for the year 1960-1961. By a note dated 26 May 1960, the Secretary-General was informed that the ten scholarships had been awarded for the academic year 1960-1961, two of them to Trust Territory students. Both of the students were from the Cameroons under United Kingdom administration.

32. By a note dated 11 April 1960, the Secretary-General was informed that the Government of India had awarded twelve scholarships (eight originally offered), for the academic year 1959-1960, of which eleven had been utilized. Three of the eleven students who utilized their scholarships were from the Cameroons under United Kingdom administration and eight students were from Tanganyika. The twelfth student awarded a scholarship was from the former Cameroons under French administration but did not accept it. The Secretary-General was also informed that twenty-six students previously awarded scholarships had continued their studies in India during 1959-1960. Of these, eighteen were from Tanganyika, seven from the Cameroons under United Kingdom administration and one from the former Cameroons under French administration. Six students, of which five were from Tanganyika and one from the Cameroons under United Kingdom administration, had completed their studies during 1959-1960 and had left India.

33. In the same note, the Secretary-General was informed that the applications for the nine scholarships offered for 1960-1961 were being processed.

34. With regard to the ten scholarships offered by Italy for 1959-1960, the representative of Italy informed the Trusteeship Council at its 1100th meeting, during the twenty-sixth session, that the processing of the applications had not been completed until late in the year. Consequently, only one student had been able to begin his studies in the academic year of 1959. The remaining nine students who had been granted scholarships would begin their studies in Italy in September 1960.

35. By a note dated 15 July 1960, the Secretary-General was informed of the names of eighteen students who were to begin their studies in Italy during the 1960-1961 academic year. None of these students was from a Trust Territory.

36. By a note dated 15 February 1960, the Secretary-General was informed that the Government of Mexico had received no applications during 1959-1960 which could lead to the award of any of the thirteen scholarships offered.

37. In August 1959, the Secretary-General was informed by a student from Tanganyika that he had been awarded a scholarship to study at Santo Tomás University, Philippines, but was unable to take up the scholarship owing to lack of travel funds.

38. By a note dated 17 March 1960, the Secretary-General was informed that, of ten scholarships which the Government of Poland had had under offer until November 1958 for students from Trust and Non-Self-

Governing Territories and which had included travel expenses, a monthly allowance and allowances for books, board and lodging and free medical care, seven had been awarded and had been effectively utilized during the period 1957-1959. Six of the students were from former Trust Territories (three from the former Togoland under United Kingdom administration, two from the former Togoland under French administration, and one from the former Cameroons under French administration). As of March 1960, the Government of Poland had five applications under consideration for the remaining scholarships, of which two applications were from students from the former Togoland under French administration and one from Tanganyika.

39. By a note dated 6 October 1959, the Secretary-General was informed that the Romanian Government had decided to award eighteen scholarships for the year 1959-1960, of which nine were for students from Trust Territories. By a further note dated 6 September 1960, the Secretary-General was informed that three of the scholarships previously awarded to students from Trust Territories would be awarded to other applicants since the three students had failed to reply to repeated notifications advising them that they had been granted scholarships. The awards to students from Trust Territories were thereby reduced to six.

40. By a letter dated 7 March 1960, the Secretary-General was informed that the ten scholarships offered by the Government of Tunisia for the academic year 1959-1960 had all been awarded, six of them to students from Trust Territories. In a further letter dated 16 May 1960, the Secretary-General was informed regarding the total number of scholarship-holders then studying in Tunisia. Four of the students were from former Trust Territories (one from the former Cameroons under French administration and three from the former Togoland under French administration).

41. By notes dated 8 and 10 August 1960, the Secretary-General was informed of the award of five scholarships by the Turkish Government. None of these was awarded to a student from a Trust Territory.

42. By a note dated 26 May 1959, the Secretary-General was informed that four of the ten scholarships then under offer by the Government of the Union of Soviet Socialist Republics were being utilized by students from Trust Territories. Two of the students were from the former Togoland under United Kingdom administration, one from the former Cameroons under French administration and one from the former Togoland under French administration. By a note dated 4 August 1959, the Secretary-General was also informed that one scholarship had been utilized by a student from

a Non-Self-Governing Territory. By a further note dated 29 July 1959, the Secretary-General was informed of two further awards for the year 1959-1960, both to students from Trust Territories. Neither student was able to take up his scholarship, however, owing to his inability to obtain a passport. One of the students, Mr. Moise Zola, was from the former Cameroons under French administration and the other, Mr. Jacob A. Kabigumila, was from Tanganyika.

43. By a note dated 20 January 1960, the Secretary-General was informed that the five scholarships under offer for 1959-1960 by the Government of the United States of America had all been awarded and utilized. Two of the scholarships were awarded to students from the former Cameroons under French administration, one to a student from Tanganyika, one to a student from the former Somaliland under Italian administration and one to a student from Western Samoa. In addition, seven students who had been awarded scholarships in previous years were given renewals of their grants. Five of these students were from the Cameroons under United Kingdom administration, one from former Togoland under French administration and one from the former Somaliland under Italian administration.

44. By a note dated 4 April 1960, the Secretary-General was informed that five of the six scholarships originally offered by the Government of Yugoslavia had been awarded and utilized. Four of the students were from the former Togoland under United Kingdom administration, two of whom were expected to complete their fourth year of study in June 1960, one to complete his second year and the other to graduate. The fifth student was from the former Togoland under French administration and was admitted during 1959-1960. A sixth student had also been awarded a scholarship and it was expected that he would arrive in Yugoslavia for the academic year beginning in October 1960.

45. By the same letter, the Secretary-General was further informed that outside of the programme of scholarships offered through the United Nations, the Yugoslav Government had granted seven additional scholarships to students from Trust Territories who had applied direct to the Yugoslav Government. All these students were from the former Trust Territory of Togoland under French administration.

46. By letters dated 27 May 1960 and 23 June 1960, the Secretary-General was informed that the Government of Yugoslavia had awarded two of the ten new scholarships beginning with the academic year 1960-1961 to students from the Cameroons under United Kingdom administration.

# ANNEX

## Scholarships and fellowships under offer to Trust Territory students: awards and utilization of scholarships

<i>Offering State</i>	<i>Date offered</i>	<i>Number of scholarships</i>	<i>Field of study and duration</i>	<i>Travel expenses</i>	<i>Maintenance and allowances</i>	<i>Awards and utilization of scholarships</i>
Burma .....	Original offer 1952 and continued to present	3	University and technical studies, agriculture Tenable from 2-3 years	None	Tuition, maintenance grant (kyats 250/- per month) book allowance (up to kyats 200/- per month)	One student awarded scholarship for 1959-1960. Not taken up because unable to obtain travel funds
Czechoslovakia ...	Yearly offers made since 1956-1957 For 1959-1960 ..... For 1960-1961 .....	18 <sup>a</sup> 20 <sup>a</sup>	University studies. Tenable 4-6 years Preliminary language course	Round-trip paid	Tuition, board and lodging, medical and hospital care, personal allowance	Eighteen scholarships were awarded and utilized during 1959-1960, four of them by Trust Territory students. In addition, 13 Trust Territory students continued to study during 1959-1960 on previously awarded scholarships
Hungary .....	Yearly offers For 1959-1960 ..... For 1960-1961 .....	5 <sup>a</sup> 10 (inc. 5 above)	University studies. Tenable 4 years for arts, fine arts and crafts; 6 years for technical sciences (mechanical, metallurgical, railroad engineering, chemistry, electricity, mining, textiles, economics, agriculture, agronomy, veterinary science, teacher-training) and for medical training Preliminary training where necessary. Preliminary language course	Round-trip paid	Tuition, maintenance grant (850 forints per month, from which 238 forints paid for board and 50 forints for lodging); occasional clothing grant (3,500 forints); medical care and drugs	No awards made during 1959-1960 since most of applications arrived too late. Scholarships therefore re-offered for 1960-1961. Awards since made of all 10 scholarships, two of them to Trust Territory students
India .....	Yearly offers made since 1952-1953 For 1959-1960 ..... For 1960-1961 .....	12 9	University studies (arts and humanities, sciences, agriculture, medicine, technology, education, law, commerce, forestry, veterinary science, engineering etc.) Tenable for duration of course	Round-trip paid	Tuition and fees, monthly allowance	Twelve awards were made for 1959-1960 academic year to Trust Territory students, out of which 11 were utilized. In addition, 26 students continued studying in India during 1959-1960 on scholarships previously awarded
Indonesia .....	Original offer made in 1953 and continued	6	For university graduates only. Four for study in Indonesian universities in Indonesian or Javanese languages, archaeology, social anthropology, customary law of Indonesia; tenable for one year. Two for study at universities outside Indonesia in technical, economic and social fields; tenable for one year	Round-trip paid	Monthly allowance at Indonesian universities of 600 rupiahs for board and lodging. Allowance of 1,500 rupiahs for clothing, tuition and examination fees. Fellowships outside Indonesia include £55 monthly for board and lodging, the equivalent of F.500 (500 Dutch florins) for clothing and £4.5s.0d. monthly for books and other study material	

**ANNEX (continued)**

<i>Offering State</i>	<i>Date offered</i>	<i>Number of scholarships</i>	<i>Field of study and duration</i>	<i>Travel expenses</i>	<i>Maintenance and allowances</i>	<i>Awards and utilization of scholarships</i>
Italy .....	For 1959-1960 ..... For 1960-1961 .....	10 <sup>a</sup> 10 <sup>a</sup>	University studies. Tenable for 1 academic year (November-June). Renewable Three-month language course prior to beginning of academic year	Round-trip paid	Monthly allowance (60,000 lire—approx. \$100) for duration of course and during language training. University taxes and fees paid. Assistance in procuring board and lodging	Processing of applications for 1959-1960 completed only late in the year. Awards subsequently made of 18 scholarships for academic year 1960-1961, none of which were for Trust Territory students
Mexico .....	Original offer made in 1953 and continued	13 <sup>a</sup>	3 scholarships in Directorate of Indigenous Affairs 3 scholarships in Directorate of Secondary Education 4 scholarships in Directorate of Teacher-Training 3 scholarships in Directorate of Agriculture Offered initially for one year with possible renewal. Knowledge of Spanish necessary	None	Board and lodging	No awards made 1959-1960
Philippines .....	Original offer made in 1952 and continued	11	Scholarships at: (a) Adamson University, Manila, for chemical engineering. Tenable four years. (b) Rizal Memorial Colleges, Davao City, for junior normal college, education, law, commercial course, secretarial course (c) Fr. Urios College, Butuan. Tenable one academic year. (d) Namei Polytechnic Institute, Manila (e) Cebu Roosevelt Memorial Colleges, Bogo. For B.S.E. and B.S.E.E. courses	None	(a) Tuition  (b) Tuition, authorized fees  (c) Tuition, incidental fees, free use of books (d) Tuition  (e) Unspecified	One award made during 1959-1960 which the student was unable to utilize owing to inability to obtain travel funds
Poland .....	Original offer made in 1952. Applications discontinued November 1958	10 <sup>a</sup>	All available fields of study. Tenable from 5 to 6 years	Two round-trips paid	750 zlotys per month tuition, cost of books, rent in student quarters paid, allowance for clothing, medical care	Six scholarships were awarded between 1957-1959 and were being utilized as of 1959 by Trust Territory students
Romania .....	Original offer 1956 Increased 1958 to Increased 1959 to	2 <sup>a</sup> 5 <sup>a</sup> 20 <sup>a</sup>	For study in the following faculties: mathematics, petrol, agronomy, chemistry, medicine, Romanian philology	Round-trip paid; annual vacation trip to resorts paid	10,000 lei per month during entire period of study	Nine out of 18 awards were made to Trust Territory students for 1959-1960. Subsequently, 3 were withdrawn leaving 6 awards for Trust Territory students. Information lacking on whether awards actually utilized during 1959-1960

Tunisia .....	Original offer for 1957-1958 and continued	10*	For secondary education, agriculture, university subjects. Tenable for one year. Renewable	Round-trip paid from Tunisian border	Board and lodging, school fees, 25,000 francs per month granted to university students	Ten scholarships under offer for 1959-1960, all awarded, 4 utilized by Trust Territory students
Turkey .....	Original offer made in 1952 Increased 1960 to	2* 5*	(a) Technical and vocational training for artisans, mechanics, technicians (ironworkers, printers, engineers, chemistry assistants etc.). Tenable for from 2 to 3 years (b) Advanced vocational and technical training at Practical Fine Arts Schools, Technical Instruction Schools and Engineering Technical School. Tenable for 4 years	None	Monthly allowance of £T175, yearly allowance of £T300 for clothing, £T50 for books, £T300 every two years for purchase of overcoat; £T50 per year for school expenses	All 5 scholarships awarded as of August 1960. None to Trust Territory students
USSR .....	Original offer made in 1955 Applications discontinued August 1959  21 May 1960 (At Friendship University, Moscow)	10*	Agriculture, medicine, technical and university subjects. Tenable 5 to 6 years, plus 1 year for study of Russian language  Engineering, agriculture, medicine, natural sciences, history, philology, economics; tenable 4 to 5 years. Plus one year language course and preparatory studies of one to three years for persons who have not completed their secondary education	Round-trip paid. Travel to rest-home or sanatorium during vacation  Round-trip paid	Sum sufficient to cover cost of board, material and cultural needs, free lodging, medical care, lump sum for equipment, grant for books and supplies  Tuition fees, medical care, board and lodging provided	Four Trust Territory students were utilizing scholarships in 1959. Two further awards made for 1959-1960 but students unable to take up the scholarships owing to inability to obtain travel documents
United States of America .....	Yearly offers made since 1952 For 1959-1960 ..... For 1960-1961 .....	5 5	University studies. Tenable for 1 year. Renewable	Round-trip paid	Tuition and fees, funds for maintenance and orientation	All 5 scholarships under offer for 1959-1960 awarded and utilized. In addition, 7 students were given renewal of scholarships granted in previous years
Yugoslavia .....	Original offer made in 1952 Subsequently New offer beginning 1960-1961	5 scholarships 5 fellowships 6 scholarships 10 scholarships	University studies. Tenable for duration of course Language instruction given	Round-trip paid	Tuition and fees, allowances for board and lodging in University hostels and for pocket money, medical care	One award made for 1959-1960 academic year and utilized. Four students previously awarded scholarships continued their studies during 1959-1960. One student given award for 1960-1961. Seven additional scholarships also granted and utilized during 1959-1960. Two awards out of 10 new scholarships made for 1960-1961

\* Scholarships also available to students from Non-Self-Governing Territories.

**DOCUMENT A/4498/ADD.1**

[Original text: English]  
[3 March 1961]

1. The present addendum supplements the information contained in document A/4498 and covers the period from 31 August 1960 to 3 March 1961.

*Scholarship offers—awards*

2. By note dated 10 October 1960, the Permanent Representative of India informed the Secretary-General that the Government of India was making available, under its general scholarships scheme, 1961-1962, five scholarships for students from Tanganyika and two scholarships for students from other Trust Territories. As in previous years, the scholarships were for study at Indian universities and included free tuition and fees and a monthly allowance of Rs. 200 for board and lodging. Round-trip travel expenses were also included.

3. By a note dated 15 February 1961, the Permanent Representative of the Romanian People's Republic reported that five students, one from the former Togoland under French administration and four from Nigeria, had failed to make use of their scholarships and that, consequently, the scholarships had been granted to five other applicants. One of the students awarded a scholarship was from Tanganyika.

4. By note dated 12 December 1960, the representative of the United States of America informed the Secretary-General that the United States was making available for the 1961-1962 academic year, seven scholarships to students from Trust Territories. Four of these scholarships would be available to students from the Cameroons under United Kingdom administration, Ruanda-

Urundi and Tanganyika and the remaining three scholarships would be allocated to students from Nauru, New Guinea and Western Samoa. These scholarships, as in previous years, would be for one academic year but consideration would be given to renewals where the academic performances of the candidates so justified. As in the past, the scholarships would include funds for travel, maintenance, orientation, tuition and fees. Applications for the scholarships were to be submitted to specially designated United States missions in, or near, the Trust Territories.

5. In addition to these grants, indigenous inhabitants of various territories in Africa, including the Trust Territories, were eligible for training under the technical assistance programme of the International Cooperation Administration in response to requests made by Administering Authorities.

*Applications for scholarships—brochures*

6. Between 31 August 1960 and 3 March 1961, the Secretary-General received sixty-six applications for scholarships offered by Member States to students from Trust Territories in accordance with General Assembly resolutions 557 (VI) and 753 (VIII). Fifty-three of the applications were from students from the Cameroons under United Kingdom administration and thirteen from students from Tanganyika.

7. During the same period, 193 brochures containing information on the scholarships and explaining how to apply for them, were sent to Trust Territory students. One hundred and seventeen brochures were sent to students from the Cameroons under United Kingdom administration and seventy-six to students from Tanganyika.

**DOCUMENT A/C.4/449****Rural economic development of the Trust Territories: note by the Secretary-General**

[Original text: English]  
[27 October 1960]

In compliance with the decision of the Trusteeship Council in operative paragraph 3 of its resolution 2016 (XXVI) of 29 June 1960, on rural economic development of the Trust Territories, the Secretary-General has the honour to draw the attention of the members of the Fourth Committee to the report of the Committee on Rural Economic Development of the Trust Territories, which is contained in document T/1544, and to the summary of comments and observations made thereon by the members of the Council, which are contained in document T/SR.1131.

**DOCUMENT A/C.4/489****Letter dated 17 April 1961 from the Representative of the United Kingdom of Great Britain and Northern Ireland on the Trusteeship Council addressed to the Secretary-General**

[Original text: English]  
[17 April 1961]

You will recall that I informed the Trusteeship Council at its twenty-sixth session that the United Kingdom Government would inform the General Assembly at its fifteenth session of the results by then achieved in the consultations which would take place with the elected leaders of Tanganyika, after the elections in August, concerning the next steps to be taken towards the goal of independence. This assurance was

noted by the Trusteeship Council on page 60 of its report (A/4404).

I have the honour to inform you that a constitutional conference between representatives of the United Kingdom and Tanganyika Governments was held in Dar es Salaam from 27 March to 29 March. Full agreement was reached at this conference on the following principal matters:

1. Tanganyika will become a fully independent State on 28 December 1961. The United Kingdom Government agreed to introduce a resolution at the United Nations proposing the termination of the Trusteeship Agreement with effect from this date.

2. Meanwhile full internal self-government will be introduced in Tanganyika on 1 May 1961. On that date the Governor, Deputy Governor and two official Ministers will no longer be members of the Council of Ministers, which will be re-named the Cabinet. The Chief Minister will on that date become Prime Minister and will preside over the Cabinet.

With the introduction of self-government, many of the powers now exercised by the Governor will disappear and, in general, the Governor will act in accordance with the advice of the Cabinet. The conference agreed that during the period between the introduction of full internal self-government and the date of independence, defence should continue to be a reserved subject and that the Governor, while continuing to be responsible during this period for external affairs, should arrange for Ministers to be increasingly associated with the exercise of responsibilities in these fields, which will be transferred to ministerial hands on independence.

I should be grateful if you would circulate this letter to Members of the United Nations, in connexion with item 13 of the agenda of the General Assembly. I also have the honour to enclose a copy of a letter from Mr. Julius K. Nyerere, Chief Minister of Tanganyika, which he has asked to be circulated to Members of the United Nations.

(Signed) A. COHEN

## ANNEX

Office of the Chief Minister  
15 April 1961

LETTER DATED 15 APRIL 1961 FROM MR. JULIUS K. NYERERE, CHIEF MINISTER OF TANGANYIKA, TO SIR RICHARD TURNBULL, GOVERNOR OF TANGANYIKA

I have the honour to draw Your Excellency's attention to the meeting of the Fourth Committee of the General Assembly of the United Nations Organization which is, I understand, to consider Tanganyika's affairs in the week beginning 17 April.

Since it has now been agreed with Her Majesty's Government that Tanganyika should become an Independent State on 28 December 1961, my colleagues and I would appreciate early action by the United Nations at the present session of the General Assembly to terminate the Trusteeship Agreement on that date. Your Excellency will remember that last October I informed the Legislative Council that Her Majesty's Government would put a resolution to the current meeting of the General Assembly, to seek authority to end the Trusteeship Agreement from a date to be subsequently agreed between Her Majesty's Government and the Government of Tanganyika. Admittedly, the need for a blank cheque of this nature has now happily passed away, since the date for Tanganyika's independence is known. Nevertheless, public opinion in Tanganyika has been expecting some early signification in the General Assembly of the rapid approach of our Independence; and it would gratify our people if the seal were set on the work of recent constitutional conference in this manner. May I therefore suggest to Your Excellency that Her Majesty's Government should introduce in the Fourth Committee meeting next week a resolution in the sense that I have requested.

I might add that I would have much liked to be present in New York when a resolution of this nature was debated; but, as Your Excellency is aware, my commitments to visit Nigeria and Ghana make it impossible for me to go to New York at present.

(Signed) Julius K. NYERERE

## DOCUMENT A/4738

### Report of the Fourth Committee on agenda items 13 (part II) and 47

[Original text: English]  
[20 April 1961]

1. At its 881st plenary meeting, on 1 October 1960, the General Assembly allocated to the Fourth Committee the following two items on its agenda:

"13. Report of the Trusteeship Council.

"47. Offers by Member States of study and training facilities for inhabitants of Trust Territories".

2. The first item consisted of the general report of the Trusteeship Council on its activities from 7 August 1959 to 30 June 1960 (A/4404) and the special report of the Council concerning the future of the Cameroons under United Kingdom administration (A/4726). The second item consisted of a report by the Secretary-General on the actual use of scholarships and training facilities offered by Member States to students from Trust Territories (A/4498 and Add.1), as called for by General Assembly resolution 1411 (XIV), together with the report of the Trusteeship Council on this subject (A/4404, part I, chap. VI, sec. D).

3. With regard to the first item, the Committee decided, at its 1141st meeting on 13 April 1961, to consider separately and first the special report of the Trusteeship Council concerning the future of the Cameroons under United Kingdom administration. This question has been dealt with in a separate report of the Committee (A/4737).

4. At its 1153rd meeting, the Committee decided to consider the general report of the Trusteeship Council together with the question of offers of study and training facilities. Consideration of these questions began at the 1153rd meeting of the Committee when the Acting President of the Trusteeship Council introduced the report of the Council and was concluded at its 1154th meeting. Three draft resolutions were submitted on the following subjects:

- (a) The future of Tanganyika;
- (b) Report of the Trusteeship Council;
- (c) Offers by Member States of study and training facilities for inhabitants of Trust Territories.

They are dealt with in more detail below.

#### I. THE FUTURE OF TANGANYIKA

5. The Committee had before it a letter (A/C.4/489) dated 17 April 1961 from the Representative of the United Kingdom on the Trusteeship Council addressed to the Secretary-General, concerning the future of Tanganyika.

6. In connexion with this question, the Committee, at its 1004th meeting on 6 October 1960, granted the request for a hearing (A/C.4/446) submitted by Mr.

Zuberi M. M. Mtemvu (African National Congress, Tanganyika). Mr. Mtemvu made a statement at the 1098th meeting on 9 March 1961, and replied to questions put to him by members of the Committee at the 1103rd meeting.

7. At the 1152nd meeting, Australia, Canada, Ceylon, Cyprus, Federation of Malaya, Ghana, India, New Zealand, Nigeria, Pakistan and United Kingdom of Great Britain and Northern Ireland submitted a draft resolution (A/C.4/L.686) whereby the General Assembly would:

(a) Note that the Governments of the United Kingdom and Tanganyika had agreed that Tanganyika should become independent on 28 December 1961;

(b) Resolve, in agreement with the Administering Authority, that the Trusteeship Agreement for Tanganyika, approved by the General Assembly on 13 December 1946, should cease to be in force upon the accession to independence of Tanganyika on 28 December 1961;

(c) Recommend that upon the attainment of independence on 28 December 1961, Tanganyika should be admitted to membership of the United Nations in accordance with Article 4 of the Charter of the United Nations.

At the same meeting, Ethiopia, Haiti, Liberia, Sudan, Togo and United States of America joined as co-sponsors (A/C.4/L.686/Add.1).

8. At the 1154th meeting, the representative of the Union of Soviet Socialist Republic proposed an oral amendment calling for the addition, at the end of the draft resolution, of an operative paragraph 4 reading:

"4. *Requests* the Administering Authority to present to the Trusteeship Council at its summer session in 1961 further information on the Dar es Salaam Constitutional Conference of March 1961 and on the measures already taken or planned by the Administering Authority to ensure the transfer of powers to the legislative and executive organs of Tanganyika."

This amendment was accepted by the sponsors of the draft resolution.

9. At the same meeting, Afghanistan, Argentina, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Cuba, Czechoslovakia, Denmark, Dominican Republic, France, Greece, Hungary, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Mali, Morocco, Netherlands, Norway, Philippines, Poland, Romania, Saudi Arabia, Spain, Sweden, Thailand, Turkey, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen and Yugoslavia joined as co-sponsors of the revised draft resolution, which was unanimously adopted by the Committee.

10. The text of the draft resolution is set forth in paragraph 17 of the present report as draft resolution I.

## II. REPORT OF THE TRUSTEESHIP COUNCIL

11. At the 1153rd meeting Ireland submitted a draft resolution (A/C.4/L.687) whereby the General Assembly would:

(a) Take note of the report of the Trusteeship Council;

(b) Recommend that the Administering Authorities take account of the recommendations and observations contained in the report.

12. The draft resolution was adopted by 51 votes to none, with 7 abstentions, at the 1154th meeting.

13. The text of the draft resolution is set forth in paragraph 17 of the present report as draft resolution II.

## III. OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF TRUST TERRITORIES

14. At the 1152nd meeting, Burma and Ceylon submitted a draft resolution (A/C.4/L.688) whereby the General Assembly would:

(a) Take note of the report of the Secretary-General (A/4498 and Add.1) and of part I, chapter VI, section D, of the report of the Trusteeship Council (A/4404), containing information on the scholarships offered since 1959 by various Member States to students from Trust Territories and on the utilization of these scholarships;

(b) Decide to postpone until its sixteenth session a full consideration of the question of offers by Member States of study and training facilities for inhabitants of Trust Territories;

(c) Request the Secretary-General to submit to the General Assembly at its sixteenth session a further report on the scholarships offered by Member States to students from Trust Territories and on their utilization;

(d) Invite the Secretary-General to include in that report such observations as he might wish to make regarding the operation of the United Nations programme of scholarships for students from Trust Territories;

(e) Request the Trusteeship Council to continue its consideration of this question at its twenty-seventh session and to report thereon to the General Assembly at its sixteenth session;

(f) Decide to place this question as a separate item on the provisional agenda of its sixteenth session.

15. At the 1154th meeting, the draft resolution was unanimously adopted.

16. The text of the draft resolution is set forth in paragraph 17 of the present report as draft resolution III.

## Recommendations of the Fourth Committee

17. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

### *Draft resolution I*

#### THE FUTURE OF TANGANYIKA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

*Draft resolution II*

## REPORT OF THE TRUSTEESHIP COUNCIL

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

*Draft resolution III*

## OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF TRUST TERRITORIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 994th plenary meeting, on 21 April 1961, the General Assembly adopted the draft resolution submitted by the Fourth Committee (A/4737, para. 15), as amended. For the final text, see resolution 1608 (XV), below.

At its 995th plenary meeting, on 21 April 1961, the General Assembly adopted draft resolutions I, II and III submitted by the Fourth Committee (A/4738, para. 17). For the final texts, see resolutions 1609 (XV), 1610 (XV) and 1611 (XV), respectively, below.

**Resolutions adopted by the General Assembly**

1608 (XV). THE FUTURE OF THE TRUST TERRITORY OF THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION

*The General Assembly,*

*Recalling* its resolution 1350 (XIII) of 13 March 1959 concerning the future of the Trust Territory of the Cameroons under United Kingdom administration in which the General Assembly recommended, *inter alia*, that the Administering Authority take steps, in consultation with the United Nations Plebiscite Commissioner for the Cameroons under United Kingdom Administration, to organize, under the supervision of the United Nations, separate plebiscites in the northern and southern part of the Cameroons under United Kingdom administration, in order to ascertain the wishes of the inhabitants of the Territory concerning their future, and that the plebiscite in the Northern Cameroons be held about the middle of November 1959 on the basis of the two questions set out in paragraph 2 of the said resolution,

*Recalling* its resolution 1352 (XIV) of 16 October 1959 whereby it decided *inter alia*, that a plebiscite in the Southern Cameroons would be held between 30 September 1960 and March 1961, on the basis of the two questions set forth in paragraph 2 of the said resolution,

*Recalling further* its resolution 1473 (XIV) of 12 December 1959 in which the General Assembly, having considered the results of the plebiscite in the northern part of the Cameroons under United Kingdom administration, recommended the organization by the Administering Authority, in consultation with the United Nations Plebiscite Commissioner, of a further plebiscite to be held in the Northern Cameroons under United Nations supervision between 30 September 1960 and March 1961, on the basis of the two questions defined in paragraph 3 of the said resolution,

*Having examined* the report of the United Nations Plebiscite Commissioner concerning the two plebiscites held in the Northern and the Southern Cameroons in February 1961 (A/4727) and the report of the Trusteeship Council thereon (A/4726),

*Having heard* the petitioners,

1. *Expresses its high appreciation* of the work of the United Nations Plebiscite Commissioner for the Cameroons under United Kingdom Administration and his staff;

2. *Endorses* the results of the plebiscites that:

(a) The people of the Northern Cameroons have, by a substantial majority, decided to achieve independence by joining the independent Federation of Nigeria;

(b) The people of the Southern Cameroons have similarly decided to achieve independence by joining the independent Republic of Cameroun;

3. *Considers* that, the people of the two parts of the Trust Territory having freely and secretly expressed their wishes with regard to their respective futures in accordance with General Assembly resolutions 1352 (XIV) and 1473 (XIV), the decisions made by them through democratic processes under the supervision of the United Nations should be immediately implemented;

4. *Decides* that, the plebiscites having been taken separately with differing results, the Trusteeship Agreement of 13 December 1946 concerning the Cameroons under United Kingdom administration shall be terminated, in accordance with Article 76 b of the Charter of the United Nations and in agreement with the Administering Authority, in the following manner:

(a) With respect to the Northern Cameroons, on 1 June 1961, upon its joining the Federation of Nigeria as a separate province of the Northern Region of Nigeria;

(b) With respect to the Southern Cameroons, on 1 October 1961, upon its joining the Republic of Cameroun;

5. *Invites* the Administering Authority, the Government of the Southern Cameroons and the Republic of Cameroun to initiate urgent discussions with a view to finalizing, before 1 October 1961, the arrangements by which the agreed and declared policies of the parties concerned will be implemented.

*994th plenary meeting,  
21 April 1961.*

## 1609 (XV). THE FUTURE OF TANGANYIKA

*The General Assembly,*

*Having considered* the communication of 17 April 1961 from the Administering Authority (A/C.4/489),

1. *Notes* that the Governments of the United Kingdom of Great Britain and Northern Ireland and of Tanganyika have agreed that Tanganyika should become independent on 28 December 1961;

2. *Resolves*, in agreement with the Administering Authority, that the Trusteeship Agreement for Tanganyika, approved by the General Assembly on 13 December 1946, shall cease to be in force upon the accession of Tanganyika to independence on 28 December 1961;

3. *Recommends* that, upon the attainment of its independence on 28 December 1961, Tanganyika shall be admitted to membership in the United Nations in accordance with Article 4 of the Charter of the United Nations;

4. *Requests* the Administering Authority to present to the Trusteeship Council, at its twenty-seventh session to be held in the summer of 1961, further information on the constitutional conference held at Dar es Salaam in March 1961 and on the measures already taken or planned by the Administering Authority to ensure the transfer of powers to the legislative and executive organs of Tanganyika.

*995th plenary meeting,  
21 April 1961.*

## 1610 (XV). REPORT OF THE TRUSTEESHIP COUNCIL

*The General Assembly,*

*Having received* the report of the Trusteeship Council covering the period from 7 August 1959 to 30 June 1960 (A/4404),

1. *Takes note* of the report of the Trusteeship Council;

2. *Recommends* that the Administering Authorities take account of the recommendations and observations contained in the report.

*995th plenary meeting,  
21 April 1961.*

## 1611 (XV). OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF TRUST TERRITORIES

*The General Assembly,*

*Recalling* its resolution 1411 (XIV) of 5 December 1959, which requested the Secretary-General to prepare, for the fifteenth session of the General Assembly, a report on the actual use of scholarships and training facilities offered by Member States to students from Trust Territories, in accordance with its resolution 557 (VI) of 18 January 1952, which invited Member States to make scholarships available to qualified students from Trust Territories,

1. *Takes note* of the report of the Secretary-General (A/4498 and Add.1) and of part I, chapter VI, section D, of the report of the Trusteeship Council (A/4404), containing information on the scholarships offered since 1959 by various Member States to students from Trust Territories and on the utilization of these scholarships;

2. *Decides* to postpone until its sixteenth session a full consideration of the question of offers by Member States of study and training facilities for inhabitants of Trust Territories;

3. *Requests* the Secretary-General to submit to the General Assembly at its sixteenth session a further report on the scholarships offered by Member States to students from Trust Territories, and on their utilization;

4. *Invites* the Secretary-General to include in this report such observations as he may wish to make regarding the operation of the United Nations programme of scholarships for students from Trust Territories;

5. *Requests* the Trusteeship Council to continue its consideration of this question at its twenty-seventh session and to report thereon to the General Assembly at its sixteenth session;

6. *Decides* to place this question as a separate item on the provisional agenda of its sixteenth session.

*995th plenary meeting,  
21 April 1961.*

## CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda items 13 and 47 which are not reproduced in the present fascicle or its addendum.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4314 and Add.1	Report of the United Nations Plebiscite Commissioner for the Cameroons under United Kingdom Administration—Part I: Organization, conduct and results of the plebiscite in the northern part of the Territory	<i>Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 41, addendum</i>
A/4404	Report of the Trusteeship Council (7 August 1959-30 June 1960)	<i>Ibid., Fifteenth Session, Supplement No. 4</i>
A/C.4/445 and Add.1-3	Requests for hearings	Mimeographed
A/C.4/446 and Add.1 and 2	Requests for hearings	Ditto

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.4/463	Statement made by the representative of Nigeria at the 1081st meeting of the Fourth Committee	Mimeographed; for summary, see <i>Official Records of the General Assembly, Fifteenth Session, Fourth Committee</i> , 1081st meeting, paras. 51-58
A/C.4/469 and Add.1-8	Requests for hearings	Mimeographed
A/C.4/483	Statement made by the United Nations Plebiscite Commissioner for the Cameroons under United Kingdom Administration at the 1141st meeting of the Fourth Committee	Mimeographed; for summary, see <i>Official Records of the General Assembly, Fifteenth Session, Fourth Committee</i> , 1141st meeting, paras. 10-17
A/C.4/484	Statement made by the Minister for Foreign Affairs of the Republic of Cameroun at the 1141st and 1142nd meetings of the Fourth Committee	<i>Idem</i> , 1141st meeting, paras. 19-44; and 1142nd meeting, paras. 1-5
A/C.4/485	Reply of the United Nations Plebiscite Commissioner for the Cameroons under United Kingdom Administration to a question put by the representative of Cameroun at the 1144th meeting of the Fourth Committee	<i>Idem</i> , 1144th meeting, para. 41
A/C.4/488	Reply of the United Nations Plebiscite Commissioner for the Cameroons under United Kingdom Administration to a question put by the representative of New Zealand at the 1145th meeting of the Fourth Committee	<i>Idem</i> , 1145th meeting, para. 51
A/C.4/491	Statement made by the representative of the United Kingdom of Great Britain and Northern Ireland at the 1148th meeting of the Fourth Committee	<i>Idem</i> , 1148th meeting, paras. 1-22
A/C.4/492	Statement made by the Minister of States for Foreign Affairs of the Federation of Nigeria at the 1148th meeting of the Fourth Committee	<i>Idem</i> , 1148th meeting, paras. 27-36
A/C.4/L.684/Rev.2	Central African Republic, Chad, Congo (Brazzaville), Dahomey, Gabon, Ivory Coast, Madagascar, Niger, Senegal and Upper Volta: revised draft resolution	See A/4737, para. 8
A/C.4/L.686 and Add.1	The future of Tanganyika—Australia, Canada, Ceylon, Cyprus, Ethiopia, Federation of Malaya, Ghana, Haiti, India, Liberia, New Zealand, Nigeria, Pakistan, Sudan, Togo, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	See A/4738, para. 7
A/C.4/L.687	Report of the Trusteeship Council—Ireland: draft resolution	Adopted without change. See A/4738, para. 17, draft resolution II
A/C.4/L.688	Offers by Member States of study and training facilities for inhabitants of Trust Territories—Burma and Ceylon: draft resolution	<i>Idem</i> , draft resolution III
T/798	Reports of the United Nations Visiting Mission to Trust Territories in West Africa and related documents	<i>Official Records of the Trusteeship Council, Seventh Session, Supplement No. 2</i>
T/1346	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1957, on Ruanda-Urundi	<i>Ibid.</i> , Twenty-first Session, Supplement No. 3
T/1426 and Add.1	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1958, on the Cameroons under United Kingdom administration	<i>Ibid.</i> , Twenty-third Session, Supplement No. 2
T/1530	Report of the Administering Authority on the separation of the administration of the Northern Cameroons from that of the Federation of Nigeria	<i>Ibid.</i> , Twenty-sixth Session, Annexes, agenda item 17
T/1532 and Add.1	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1960, on Tanganyika	<i>Ibid.</i> , Twenty-sixth Session, Supplement No. 2
T/PET.../...		Documents in this series are mimeographed



**Agenda item 13: Report of the Trusteeship Council**

**DOCUMENT A/4727\***

**Report of the United Nations Plebiscite Commissioner for the Cameroons under United Kingdom Administration**

**Plebiscites in the southern and northern parts of the Territory, on 11 and 12 February 1961**

[Original text: English]  
[11 April 1961]

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\* The report contained in this document was originally issued as document T/1556 of 3 April 1961. Annexes to the report which were issued as documents T/1556/Appendix and T/1556/Appendix/Add.1 and 2, are not reproduced here but are available in mimeographed form in the United Nations Library for consultation.

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LETTER DATED 30 MARCH 1961 FROM THE UNITED NATIONS PLEBISCITE  
COMMISSIONER TO THE SECRETARY-GENERAL

I have the honour to forward herewith the report on the plebiscites which were held, in accordance with General Assembly resolutions 1350 (XIII) of 13 March 1959, 1352 (XIV) of 16 October 1959 and 1473 (XIV) of 12 December 1959, in the southern and northern parts of the Trust Territory of the Cameroons under United Kingdom administration.

I should be grateful if you would submit the report to the Trusteeship Council for its consideration and transmission to the General Assembly.

(Signed) Djalal ABDOH

## GENERAL

### Chapter I

#### Introduction

1. In accordance with the request contained in paragraph 7 of General Assembly resolution 1350 (XIII), I have the honour to submit to the Trusteeship Council a report in two parts on the organization, conduct and results of the plebiscites held in the southern and north-

ern parts of the Trust Territory of the Cameroons under United Kingdom administration. I have deemed it useful to present at the outset of the report, a broad introductory section which contains, under relevant headings, background and other information, common to both plebiscites. In parts I and II of the report, an account is given of the organization, conduct and results of the plebiscites held in the southern and northern parts of the Territory respectively.

## Chapter II

**Events leading to the decision to hold the plebiscites**

2. At its twenty-first session, the Trusteeship Council, having been informed of the approach of the Federation of Nigeria towards independence, took note of a statement by the Secretary of State for the Colonies of the United Kingdom that there could be no question of obliging the Cameroons to remain part of an independent Nigeria contrary to its own wishes and that before Nigeria became independent the people of the north and south sectors of the Cameroons would have to say freely what their wishes were as to their own future.

3. Subsequently, in a memorandum<sup>1</sup> to the Council at its twenty-second session, the Administering Authority pointed out that when it relinquished its power of administration in the Federation of Nigeria, it would no longer find it possible in accordance with the Trusteeship Agreement to administer the Cameroons as a part of Nigeria and stated that it was therefore necessary to consider what arrangements should then be made for the administration of the Trust Territory—arrangements which, it stated, must involve either the modification or the termination of the present Trusteeship Agreement. The Administering Authority mentioned further that it had promised that the inhabitants of both the northern and southern sections of the Trust Territory would be given an opportunity freely to express their own wishes about their future.

4. In reporting on the results of the Resumed Nigeria Constitutional Conference to the General Assembly at its thirteenth session,<sup>2</sup> the representative of the United Kingdom stated that the official report issued at the conclusion of the Conference referred to a statement by the Secretary of State for the Colonies on behalf of the United Kingdom Government, that if a resolution was passed by the new Federal Parliament early in 1960 asking for independence, the United Kingdom would agree to that request and would introduce a Bill into Parliament to enable Nigeria to become a fully independent country on 1 October 1960. The Federal Prime Minister of Nigeria and the Premiers of the Nigerian Regions had expressed their desire that on independence Nigeria should become a full member of the Commonwealth and that there should continue to be close co-operation between the United Kingdom and Nigeria.

5. At its thirteenth session, the General Assembly adopted resolution 1282 (XIII) concerning both the Cameroons under British and the Cameroons under French administration in which it, *inter alia*, noted the statement made by the representative of the United Kingdom that the Cameroons under United Kingdom administration was expected to achieve in 1960 the objectives set forth in Article 76 b of the Charter of the United Nations and requested the Trusteeship Council to examine, at the earliest possible date during its twenty-third session, the reports of the Visiting Mission which was at that time visiting the two Cameroons and to transmit them, with its observations and recommendations, to the General Assembly not later than 20 February 1959, to enable the Assembly to take, in consultation with the Administering Authorities, the necessary meas-

ures in connexion with full attainment of the objectives of the Trusteeship System in the two Territories. The General Assembly decided in its resolution 1281 (XIII) to resume its thirteenth session on 20 February 1959 to consider exclusively the question of the future of the two Trust Territories.

6. As part of its terms of reference, the United Nations Visiting Mission to Trust Territories in West Africa, 1958 had been requested to include in its report on the Cameroons under United Kingdom administration its views on the method of consultation which should be adopted when the time came for the people of the Territory to express their wishes concerning their future.<sup>3</sup> The Mission stated in its report<sup>4</sup> that the question of the future of the Territory had assumed immediacy not so much because of its own progress towards the objectives of trusteeship as because of the imminent attainment of independence by both of its much larger neighbours: the Federation of Nigeria, which expected to become independent on 1 October 1960, and the Cameroons under French administration, which expected independence on 1 January 1960. Each of these emergent States had indicated its willingness to have the Cameroons under United Kingdom administration join it if the peoples of the Trust Territory should so desire.

7. In coming to its conclusions on the matter, the Mission recalled the circumstances which had led the Northern Cameroons to be administered as a part of the Northern Region of Nigeria and the Southern Cameroons to follow a separate course, in association first with the Southern Provinces and then with the Eastern Region of Nigeria, and since 1954 as a separate entity within the Federation. The Mission was convinced that a realistic appraisal of the situation in the Trust Territory as well as a realistic approach to the question of its future required that the Territory should not be regarded as an entity but should be considered in terms of two parts and two groups of peoples, northern and southern, whose history and development had taken distinctly different courses and between which there now existed profound differences both in administrative systems and in political attitudes and loyalties. The Mission accordingly submitted in the first place its opinion that the wishes of the northern and southern peoples of the Trust Territory should be determined separately.

8. Having reported the views expressed to it in the North, the Mission came to the conclusion, on the basis of the facts and opinions known to it—which included considerations of historical and political development set forth in its report—that there was no difference of opinion on the principal question of the future of the Northern Cameroons which would require or justify the holding of a formal consultation on the subject. It believed it to be manifestly the opinion of the northern population as a whole, as far as this opinion could be expressed at that time and in the foreseeable future, that the Northern Cameroons should become permanently a part of the Northern Region of the Federation of Nigeria when the latter attained independence. The Mission accordingly recommended that, if the General Assembly accepted such a union as the basis for the termination of the Trusteeship Agreement, no further consultation need be held.

<sup>1</sup> Official Records of the Trusteeship Council, Twenty-second Session, Annexes, agenda item 6, document T/1393.

<sup>2</sup> Official Records of the General Assembly, Thirteenth Session, Fourth Committee, 803rd meeting.

<sup>3</sup> Trusteeship Council resolution 1907 (XXII).

<sup>4</sup> Official Records of the Trusteeship Council, Twenty-third Session, Supplement No. 2.

9. In the Southern Cameroons the Mission found opinion to be clearly divided between two contrary points of view about the future. On the one hand, there was the idea that the Southern Cameroons should, on 1 October 1960, become a self-governing region in the independent Federation of Nigeria, remaining under Trusteeship until that date. On the other hand, there was the idea that the Southern Cameroons should forthwith be separated from Nigeria, with a view to union with an independent French Cameroons, Trusteeship being conducted until then. The division between those two approaches to the future was so marked that the Mission came to the conclusion that only the people of the Southern Cameroons, consulted by means of universal suffrage, could determine where the majority lay.

10. Between the Mission's visit and the completion of its report, elections were held to the Southern Cameroons House of Assembly. The party favouring separation from Nigeria came to power with fourteen seats as against twelve won by the two parties standing for permanent federation with Nigeria. The Mission considered that a new political situation had thus been created which must be given the necessary time to evolve further; to produce general agreement on the future of the Southern Cameroons or, failing that, to allow the practicable choices confronting the people to be precisely formulated. On the face of it, the election results meant that the Cameroons institutions were now controlled, by a small margin, by a political party pledged to try to bring about a change in the existing relationship of the Southern Cameroons with Nigeria, namely, to end the arrangement by which the Southern Cameroons was administered as an integral part of Nigeria. It was to be noted, added the Mission, that this had been regarded by the party as a step to be taken within the framework of the International Trusteeship System, and not as the objective of the System nor, accordingly, as the basis for the termination of the Trusteeship Agreement. The party forming the Government appeared to be for the first time in a position to explore, in consultation with the Administering Authority, the practical possibilities and consequences of an administrative separation from Nigeria. It might have to determine, in view of a strong opposition in the House of Assembly equally firmly committed to continued association with Nigeria, whether its political situation was sufficiently secure and its mandate sufficiently clear to enable it to pursue its original course. The Government would no doubt also wish to reconsider the consequences, for the long-term future of the Southern Cameroons, of any action taken while still under Trusteeship to separate it from Nigeria. The Mission therefore considered that the new Government should be given time to review its intentions and to consult the House of Assembly and the Administering Authority on them; to proceed, if that was still its purpose, to ascertain by discussion with the Government of the Cameroons under French administration the terms under which some form of unification with that territory might take place; and, finally, to advise the Administering Authority, and through it the United Nations, of its wishes and those of the House of Assembly as a whole concerning the attainment of the objective of Trusteeship and their views on the determination of the opinion of the population.

11. The Mission concluded that if general agreement should develop in the newly-elected House of Assembly concerning the future of the Southern Cameroons, a formal popular consultation might prove to be unneces-

sary; but if no such agreement emerged, it might only be through a consultation at some appropriate future date, probably a plebiscite, that it would be possible to resolve the basic issues. In that event, the Mission considered that the conditions for such a consultation, including its timing and the question or questions to be put to the people, would have to be determined by the General Assembly and the Administering Authority in consultation, and as far as possible in agreement, with the political parties in the Southern Cameroons.

12. The report of the Visiting Mission on the Cameroons under United Kingdom administration was examined, as requested by the General Assembly, by the Council during its twenty-third session. The Council adopted resolution 1926 (XXIII) in which it took note of the observations and conclusions of the Visiting Mission in its report; considered that these conclusions would require further examination by the General Assembly; and transmitted to the General Assembly the report of the Visiting Mission, the observations of the Administering Authority and the records of the Council's discussion in order that, after due examination in the light of these documents and of any further views that might be expressed before it, the General Assembly might take such action as it deemed appropriate, in accordance with Article 76 b of the United Nations Charter.

13. The General Assembly resumed its thirteenth session on 20 February 1959 to consider the question of the future of the Trust Territories of the Cameroons under French administration and the Cameroons under United Kingdom administration. It adopted resolution 1350 (XIII) concerning the Cameroons under United Kingdom administration in which it recommended that the Administering Authority, in pursuance of Article 76 b of the Charter of the United Nations, take steps, in consultation with a United Nations Plebiscite Commissioner, to organize, under the supervision of the United Nations, separate plebiscites in the northern and southern parts of the Cameroons under United Kingdom administration in order to ascertain the wishes of the inhabitants of the Territory concerning their future.

14. With respect to the Northern Cameroons the Assembly recommended that the plebiscite should take place about the middle of November 1959, and that the people of the northern part should be asked:

“(a) Do you wish the Northern Cameroons to be part of the Northern Region of Nigeria when the Federation of Nigeria becomes independent?”

“or

“(b) Are you in favour of deciding the future of the Northern Cameroons at a later date?”

The Assembly also recommended that the plebiscite in this part of the Territory should be conducted on the basis of the electoral register then being compiled for the elections to the Federal House of Representatives, and in this connexion it is recalled that the register was being compiled on the basis of universal male suffrage only.

15. With respect to the Southern Cameroons, the General Assembly recommended that the plebiscite should be conducted during the next dry season between the beginning of December 1959 and the end of April 1960 and decided that the two alternatives to be put to the people of the southern part of the Territory and the qualifications for voting in the plebiscite there should

be considered at the fourteenth session of the General Assembly. The Assembly expressed the hope that all concerned in the Territory would endeavour to reach agreement before the opening of the fourteenth session of the General Assembly on the alternatives to be put in the plebiscite in the Southern Cameroons and the qualifications for voting in it.

16. The Assembly decided to appoint a United Nations Plebiscite Commissioner to exercise on behalf of the General Assembly all the necessary powers and functions of supervision, assisted by observers and staff to be appointed by the Secretary-General in consultation with him. The Assembly requested the Plebiscite Commissioner to submit to the Trusteeship Council a report in two parts on the organization, conduct and results of the plebiscites, the first part of the report dealing with the northern part of the Territory to be submitted in time for transmission to the General Assembly for consideration before the end of its fourteenth session. The Assembly finally requested the Council to transmit to it the reports of the Plebiscite Commissioner, together with any recommendations and observations it considered necessary.

17. At the 794th meeting of the General Assembly (thirteenth session), held on 13 March 1959, I had the honour to be elected United Nations Plebiscite Commissioner for the Cameroons under United Kingdom administration.

18. At the fourteenth session, the Administering Authority informed the General Assembly of what had been done to promote agreement on the alternatives to be put, and on the qualifications for voting, in the plebiscite in the Southern Cameroons. After unsuccessful discussions with political leaders, a conference had been arranged in which the political leaders and the chiefs, and representatives of the Native Authorities and of other groups in the Southern Cameroons, took part. The conference, which was held at Mamfe and presided over by an independent chairman, Sir Sidney Philipson, had discussed the matter for two days but had failed to reach an agreement either on the alternatives to be put or on the qualifications for voting.

19. Statements were made in the General Assembly by the Premier, Mr. J. N. Foncha of the *Kamerun National Democratic Party* (KNDP), and the leader of the Opposition, Dr. E. M. L. Endeley of the *Kamerun National Congress* (KNC) and by two petitioners, Mr. N. N. Mbile of the *Kamerun People's Party* (KPP), Deputy Leader of the Opposition and Mr. W. Ntumazah of the *One Kamerun Party* (OK), in which each explained his party's views on the plebiscite. Mr. Foncha considered that the alternatives should be regional status within an independent Nigeria or separation from Nigeria and continuation of Trusteeship for a limited period after which a decision could be made. Dr. Endeley, Mr. Mbile and Mr. Ntumazah agreed with Mr. Foncha on the first alternative but favoured unification with an independent French Cameroons as the second alternative. On the question of qualifications, Mr. Foncha believed that only those born in the Southern Cameroons should be entitled to vote in the plebiscite, and in this he was supported by Mr. Ntumazah. Dr. Endeley and Mr. Mbile, however, felt that the register should include certain residents not born in the Territory. Many petitions were received by the Secretary-General from individuals, political parties and other organizations in

the Southern Cameroons in which support was given for these differing points of view.<sup>5</sup>

20. Following negotiations, Mr. Foncha and Dr. Endeley issued an agreed statement<sup>6</sup> to the General Assembly. They suggested that in view of the failure of the parties to reach agreement, it would be wiser to defer consultation with the people for the time being. They were also agreed that the Administering Authority should take steps to separate the administration of the Southern Cameroons from that of the Federation of Nigeria; that this should be completed not later than 1 October 1960; and that, pending settlement of its future, the Southern Cameroons should continue to be administered under the existing Trusteeship Agreement, but separately from Nigeria. They also suggested 1962 as the date for ascertaining the wishes of the people.

21. The representative of the Administering Authority informed the Assembly that his Government was willing to continue to administer the Southern Cameroons as a Trust Territory until its future had been finally settled. In that case, however, it could not continue to be administered as an integral part of Nigeria. Separation would raise administrative problems relating to the services now provided by Nigeria which would involve negotiations with the Federal Government.

22. Subsequently, at the 898th meeting of the Fourth Committee, Mr. Foncha and Dr. Endeley informed the Committee that they had agreed on the voting qualifications as put forward in a draft resolution submitted by Ghana, Guinea, Liberia, Libya, Mexico, Morocco, Sudan, Tunisia, the United Arab Republic and the United States of America. This draft resolution, as approved by the Fourth Committee on 9 October 1959, was adopted by the General Assembly at its 829th meeting on 16 October 1959 as resolution 1352 (XIV). By this resolution the Assembly noted the statements that had been made at the 898th meeting of the Fourth Committee and decided that the arrangements for the plebiscite in the Southern Cameroons should begin on 30 September 1960, and that the plebiscite should be concluded not later than March 1961. It recommended that the two questions to be put at the plebiscite should be:

"(a) Do you wish to achieve independence by joining the independent Federation of Nigeria?"

"(b) Do you wish to achieve independence by joining the independent Republic of the Cameroons?"

The Assembly also recommended that only persons born in the Southern Cameroons or one of whose parents was born in the Southern Cameroons should vote in the plebiscite. It further recommended that the Administering Authority, in consultation with the Government of the Southern Cameroons, should take steps to implement the separation of the administration of the Southern Cameroons from that of the Federation of Nigeria, not later than 1 October 1960.

23. I presented the first part of my report,<sup>7</sup> on the organization, conduct and results of the plebiscite in the northern part of the Territory, to the Trusteeship Council at its tenth special session. I informed the Council

<sup>5</sup> For more detailed information on political parties and their activities in the plebiscite, see chapter IV (A), paras. 207-217 inclusive.

<sup>6</sup> *Official Records of the General Assembly, Fourteenth Session, Annexes*, agenda item 41, document A/C.4/414.

<sup>7</sup> *Ibid.*, *Fourteenth Session, Annexes*, agenda item 41, addendum, document A/4314.

that I was satisfied that the plebiscite had been organized and conducted by the Administering Authority with efficiency and impartiality and that it had been held in an atmosphere of freedom. A total of 113,859 votes had been cast; 70,546 in favour of the second alternative and 42,788 in favour of the first. I felt that one of the reasons why the majority had voted in favour of the second alternative was to express the will for a speedy introduction of reforms in the system of local administration. The Council adopted, on 2 December 1959, resolution 2007 (S-X) transmitting this report to the General Assembly.

24. My report and the results of the plebiscite were examined by the General Assembly at its fourteenth session. The representative of the Administering Authority informed the Assembly that the Administering Authority interpreted the results of the plebiscite as an expression by the people of dissatisfaction at not being able to play a larger part in the system of local administration and he indicated that reforms would be introduced speedily. He also informed the Assembly that, as it would no longer be possible to administer the Northern Cameroons as an integral part of Nigeria after the date of Nigerian independence, the Administering Authority intended to administer the Territory separately through an Administrator responsible to Her Majesty's Government in the United Kingdom.

25. After discussing these statements and my report, the General Assembly adopted at its 857th meeting on 12 December 1959 resolution 1473 (XIV) whereby it recommended that the Administering Authority, in pursuance of Article 76 b of the Charter and in consultation with the United Nations Plebiscite Commissioner, should organize under United Nations supervision, a further plebiscite in the Northern Cameroons, the arrangements for which should begin on 30 September 1960 and that the plebiscite should be concluded not later than March 1961. It decided that the two questions to be put at this plebiscite should be:

"(a) Do you wish to achieve independence by joining the independent Republic of the Cameroons?"

"(b) Do you wish to achieve independence by joining the independent Federation of Nigeria?"

It recommended that the plebiscite be conducted on the basis of universal adult suffrage, all those over the age of twenty-one and ordinarily resident in the Northern Cameroons being qualified to vote. It requested the United Nations Plebiscite Commissioner to report to the Trusteeship Council on the organization, conduct and results of this plebiscite, in order that the Council might transmit its report to the General Assembly together with any recommendations and observations it considered necessary. It further recommended that the necessary measures be taken without delay for the further decentralization of governmental functions and the effective democratization of local government in the northern part of the Trust Territory and that the Administering Authority should initiate without delay the separation of the administration of the Northern Cameroons from that of Nigeria and that this process should be completed by 1 October 1960. It also requested the Administering Authority to report on the process of separation to the Trusteeship Council at its twenty-sixth session and requested the Council to submit a report on this matter to the General Assembly at its fifteenth session. Finally, it declared that the participation of the Northern Cameroons in the elections to the Federal Legislative Assembly should in no way inter-

fere with, or influence, the free choice of the people of the Northern Cameroons, in deciding their future in the forthcoming plebiscite.

### Chapter III

#### Consultations with the Administering Authority: Orders in Council providing for the holding of the plebiscites

26. Following preliminary consultations I had held in London in January, I received on 21 July 1960 from the United Kingdom Mission to the United Nations the draft Orders in Council for the Southern Cameroons and the Northern Cameroons plebiscites for my comments and observations.

27. In accordance with General Assembly resolutions 1350 (XIII) and 1352 (XIV), Articles 1 and 2 of the draft Order in Council for the plebiscite in the Southern Cameroons provided for the holding of a plebiscite and for the questions to be put therein to the people. Article 3 of this draft Order in Council provided for the division of the Southern Cameroons into plebiscite districts, which under a schedule appended to the Order were to be twenty-six in number. The Commissioner of the Southern Cameroons was empowered by Article 4 of the Order to make provision by regulation for all matters incidental or ancillary to the conduct and organization of the plebiscite. Matters to be provided for in the Regulations included the division of each plebiscite district into registration areas; the time, place and manner in which persons might apply to be registered as voters; the determination of entitlement of an applicant to be so registered and appeals against the inclusion or exclusion of applicants' names from the register; the plebiscite procedure and the manner in which votes were to be cast; the ascertainment and publication of the voting in each registration area; the lodging of petitions concerning the result of the voting and the time and manner for the hearing and determination of such petitions; the giving of directions by the Plebiscite Administrator for the taking of a fresh voting in a plebiscite district or part thereof in the event the Plebiscite Administrator declared the voting in such plebiscite district or part thereof invalid; and, finally, the definition and trial of offences relating to the plebiscite. Article 5 provided for the qualifications necessary to register as a voter, on the basis of operative paragraph 3 of General Assembly resolution 1352 (XIV) and it also determined the registration areas where applicants were to be registered. Thus, an applicant resident in the Southern Cameroons had to register in the registration area in which he was resident at the time of his application. If an applicant was not resident in the Southern Cameroons he had to register in the registration area in which he was born, and if he was not born in the Southern Cameroons, in the registration area in which his father was born or, if neither he nor his father was born in the Southern Cameroons, in the registration area in which his mother was born. This Article enumerated further the grounds for disqualification for registration as a voter, such as being under certain sentences imposed by a court of law, insanity declared by competent authority or being subject to disqualification under certain laws in force in the Southern Cameroons, the Northern Cameroons, the Republic of the Cameroons, or Nigeria, or to disqualifications arising from offences relating to the plebiscite.

28. Article 6 gave authority to the Commissioner of the Southern Cameroons to constitute offices as he

deemed necessary for the purpose of the Order and regulations thereunder and to appoint persons to those offices. Article 7 provided for the establishment of one or more Special Courts for the hearing and determination of petitions relating to any dispute in connexion with the result of the voting and for the appointment of judges for those Courts. Article 8 set forth that the Commissioner of the Southern Cameroons might give directions to the Plebiscite Administrator in the exercise of the latter's functions and that the Plebiscite Administrator might, under the direction of the Southern Cameroons Commissioner, give directions to officers appointed for the plebiscite as he might consider desirable. Under Article 9 the Plebiscite Administrator might, in the light of a decision of a Special Court, declare the result of the voting in any plebiscite district, or part thereof, invalid, and direct that fresh voting be taken in that plebiscite district, or part thereof. Article 10 made provision for facilities to be afforded to the United Nations Plebiscite Commissioner and all other persons appointed to observe the plebiscite on behalf of the United Nations, and for representations made by the United Nations Plebiscite Commissioner and such other persons concerning the conduct of the plebiscite. Article 11 provided that expenses relating to the plebiscite were to be charged to the Southern Cameroons Consolidated Revenue Fund.

29. The draft Order in Council for the Northern Cameroons was substantially the same as that for the Southern Cameroons except that the Administrator of the Northern Cameroons had a direct responsibility for the conduct of the plebiscite (whereas in the Southern Cameroons the Plebiscite Administrator was subject to the directions of the Commissioner of the Southern Cameroons). Furthermore, the qualifications for voting in the Northern Cameroons were in accordance with General Assembly resolution 1473 (XIV) and based on residence (whereas in the Southern Cameroons they were based on birth).

30. On the occasion of my trip to London for consultations with the Administering Authority, I discussed some of the provisions contained in the drafts of the Southern Cameroons and the Northern Cameroons Orders in Council with officials of the Colonial Office. I advised them that I had noted a discrepancy between the language of Article 2(1) in each of the draft Orders in Council and resolution 1350 (XIII) of the General Assembly. Thus, Article 2(1) ordered a plebiscite to be held in the Southern Cameroons "for the purpose of ascertaining which of the questions" (that the General Assembly had recommended should be put in the plebiscite and which this Article reproduced) "would receive more affirmative replies by the people of the Southern Cameroons". I pointed out that under resolution 1350 (XIII) the purpose of the plebiscite was to "ascertain the wishes of the inhabitants of the Territory concerning their future", and that nowhere in resolutions 1350 (XIII), 1352 (XIII) or 1473 (XIV) was mention made of the attainment of the majority of votes for one of the alternatives. It was clear that the General Assembly had not determined in these resolutions the manner in which it would assess the result of the plebiscite.

31. I also noted that Article 10 of each of the draft Orders in Council concerning facilities to be afforded to the United Nations Plebiscite Commissioner and staff, omitted reference to consultations with myself and my staff by the officials referred to therein in the exercise of their functions under the Order. In view of the

fact that General Assembly resolution 1350 (XIII) provided for the organization of the plebiscite by the Administering Authority "in consultation with the United Nations Plebiscite Commissioner", I deemed that the Order in Council should refer specifically to such consultations. As a point which was perhaps only of drafting significance, I suggested that Article 10 and the title should be slightly changed to make it clear that the facilities therein contemplated were for all members of my staff and not merely for "Observers".

32. These observations were accepted by the officials of the Colonial Office and the appropriate changes were made accordingly in the final version of the Orders in Council, published in the *Southern Cameroons Gazette*, No. 46, Volume 6, on 1 October 1960,<sup>8</sup> and in the *Northern Cameroons Gazette*, No. 3, Volume 1, on 5 November 1960.<sup>9</sup>

#### Chapter IV

### Plebiscite Commissioner's staff; travel and other arrangements

#### A. UNITED NATIONS PLEBISCITE STAFF

33. By its resolution 1350 (XIII) of 13 March 1959, the General Assembly had decided that the Plebiscite Commissioner should be assisted by Observers and staff to be appointed by the Secretary-General in consultation with him.

34. Early in 1960, the Secretariat entered into preliminary consultations with the Administering Authority concerning the arrangements it had made or was contemplating for the organization and the conduct of the plebiscites in the two parts of the Territory. On the basis of the information received, it was determined that a staff of thirty-four officials would be needed to meet the requirements of the two plebiscites, including observer, headquarters and supporting field service staff. The Secretary-General appointed, in consultation with me, the officials to assist me from among the Secretariat staff at United Nations Headquarters. Their names, respective designations and duty stations are listed below:

Principal Secretary . . . . . José Rolz-Bennett

#### Headquarters Staff, Buca

Political Affairs Officer . .	William T. Mashler
Legal Affairs Officer . . .	Carlos Cuenca
Information Officer . . . .	Allen Chang
Administrative Officer . . .	Serge Michel
Finance Clerk . . . . .	Nello Tordini
Secretaries . . . . .	Colette Charpentier, Patricia McGee
Field Service Officers . . .	Peter Eilersen, Bob Kales, Svend Volder

#### Headquarters Staff, Mubi

Observer for Mubi and Liaison Officer—North- ern Cameroons . . . . .	Marshall Williams
Assistant Administrative Officer . . . . .	Roy Blainey
Secretary . . . . .	Beatrice Kimelman
Field Service Officers . . .	Michael Donohoe, Michael Hughes

<sup>8</sup> See annex IV.

<sup>9</sup> See annex XVI.

*Observers for the Northern Cameroons Plebiscite*

<i>Plebiscite District</i>	<i>Observer Post</i>	<i>Observer</i>
Dikwa North .....	Dikwa	Foch K. Wand
Dikwa Central .....	Bama	Mudassir Shamsee
Gwoza .....	Gwoza	James L. Lewis
Cubunawa-Madagali .....	Gulak	Antonin Obrdlik
Mubi .....	Mubi	Marshall Williams
Chamba .....	Jada	Ismail R. Khalidi
Gashaka-Toungo .....	Serti	Mohamed A. K. Taha
Mambilla .....	Gembu	Wilhelm Iversen
United Hills .....	Baissa	Tsung-Lung Kuo

*Observers for the Southern Cameroons Plebiscite*

<i>Plebiscite District</i>	<i>Observer Post</i>	<i>Observer</i>
Nkambe .....	Nkambe	Marco V. Jiménez
Wum .....	Wum	Jeffrey Rajasooria
Bamenda East & North .....	Kumbo	Hung-Ti Chu
Bamenda Central .....	Bamenda	Gastao N. Ceccatto
Bamenda South & West .....	Bamenda	John Miles
Mamfe .....	Mamfe	Lev D. Emelianov
Mamfe .....	Mamfe	Eduardo Mondlane
Kumba .....	Kumba	John Howe
Kumba .....	Kumba	F'isham Rifai
Victoria .....	Victoria	Felipe Pradas

Subsequently, the Secretary-General appointed, in consultation with me, Mr. Abdel S. Dajani and Mr. John Goetelen to supervise, in the United Kingdom, the printing of the ballot papers for the Southern and Northern Cameroons plebiscites, respectively.

#### B. TRAVEL, ADMINISTRATIVE, FINANCIAL AND TRANSPORT ARRANGEMENTS

35. Travel, as well as administrative, financial and transport arrangements for United Nations Plebiscite personnel were made by United Nations Headquarters, New York. These involved the movement of staff from New York, Europe and the Middle East and their concentration in the Northern and Southern Cameroons by mid-October.

#### C. ESTABLISHMENT OF HEADQUARTERS

36. I decided to establish my headquarters in Buea, the capital of the Southern Cameroons, which, as such, is not only the seat of government, but also the official place of residence of the Commissioner of the Southern Cameroons. Moreover, the Southern Cameroons Plebiscite Administrator had established his headquarters in Buea. Despite its location at the extreme southern end of the Trust Territory, Buea was the only choice, because had I favoured a more central location, the already complicated problem of communications would have been further aggravated. The site offered adequate lodging and office accommodations, and was near the only airfield in the Trust Territory with regular plane communications with the outside.

37. Since the plebiscites in the southern and northern parts of the Trust Territory were being organized and conducted completely separate and independent of each other, and the administrations of the two parts had been entrusted to the Commissioner of the Southern Cameroons and the Administrator of the Northern Cameroons, respectively, there existed no central authority in the Trust Territory. For this reason, I deemed it both desirable and necessary to set up a second headquarters in Mubi, where the Administrator of the Northern Cameroons had established his headquarters as of 1 October 1960. However, since it was evident

from the outset that I would have to divide my time between the two headquarters and being anxious to keep in touch with developments in the Northern Cameroons while I was occupied elsewhere, I decided to appoint the United Nations Observer at Mubi to act as my liaison officer with the Administrator.

#### D. ADVANCE ADMINISTRATIVE PARTY

38. As all arrangements had to be completed before the arrival in the Territory of headquarters and observer staff, the Administrative and Finance Officer left New York on 14 August 1960 and after consultations in London, arrived in Nigeria on 19 August, together with four Field Service Officers who had been detached from United Nations missions in the Middle East. After discussions with the British authorities in Kano, Kaduna and Lagos, the Administrative Officer arrived in Buea to make preparations for the operation in the Southern Cameroons, while the Assistant Administrative Officer, who remained in Mubi, performed a similar task in the Northern Cameroons. This included a complete survey of prospective observer stations in both regions by the Administrative Officer.

#### E. LOCAL TRANSPORTATION

39. A fleet of twelve Land Rovers and two cars was rented by the United Nations for the use of the staff in the Southern Cameroons. In the north, fifteen Jeeps and Land Rovers with four trailers were rented from the United Kingdom Plebiscite Administration; the Jeeps were those which had been used during the 1959 plebiscite and had afterwards been sold to the Nigerian Federal Government.

#### F. HOUSING AND SUPPLIES FOR UNITED NATIONS OBSERVERS

40. The United Kingdom Plebiscite Administration in both regions arranged for resthouses to be placed at the disposal of United Nations Observers. The houses were in readiness to accommodate the Observers by the time they arrived in their districts, except for the one in Gembu, which was not completed until 1 December

1960. Camping equipment was a necessity for all Observers, as all had to trek to cover their districts. This was supplied by the Field Operations Service of the Office of General Services of the Secretariat and was shipped from New York. Some equipment was also purchased locally. In addition, medical provisions were supplied by the Health Service of the United Nations.

#### G. ARRIVAL OF STAFF AND DISPERSAL OF OBSERVERS

41. The group of Northern Observers arrived in Kano on 12 October, together with the Principal Secretary. After a day's stopover for briefing by the Principal Secretary and the Administrative and Finance Officer,

this group left for Yola and Maiduguri. From there they proceeded on the following day by road to their respective stations. The Principal Secretary arrived in Buea on 12 October, together with headquarters staff who had joined him in Lagos. The Southern Observers arrived in two groups in the Territory on 17 and 19 October and reached their stations before the opening of the registration period. I had myself arrived in Buea on 17 October.

#### H. PLEBISCITE COMMISSIONER'S ITINERARY

42. The itinerary followed is shown below:

<i>Date</i>	<i>Sector</i>	<i>Transportation</i>	<i>Overnight stop</i>
<i>1960</i>			
17 Oct. ....	Arrival Buea	Scheduled flight	
20 Oct. ....	Buea-Mubi	Charter flight	Mubi
21 Oct. ....	Mubi-Michika-Gwoza-Bama	Car	Bama
22 Oct. ....	Bama-Mubi	Car	Mubi
23 Oct. ....	Mubi		Mubi
24 Oct. ....	Mubi-Buea	Charter flight	
27 Oct. ....	Buea-Victoria-Buea	Car	
28 Oct. ....	Buea-Kumba-Buea	Car	
31 Oct. ....	Buea-Bali	Charter flight	
	Bali-Bamenda	Car	Bamenda
1 Nov. ....	Bamenda-Bali (Bamenda)	Car	
	Bali-Buea	Charter flight	
7 Nov. ....	Buea-Baissa-Ganye-Mubi	Charter flight	Mubi
8 Nov. ....	Mubi-Buea	Charter flight	
14 Nov. ....	Buea-Bali (Bamenda)	Charter flight	
	Bali-Bamenda-Kumbo-Nkambe	Car	Nkambe
15 Nov. ....	Nkambe-Wum-Bamenda	Car	Bamenda
16 Nov. ....	Bamenda-Bali (Bamenda)	Car	
	Bali-Mamfe-Buea	Military air transport	
2 Dec. ....	Buea-Mubi	Scheduled flight	Mubi
3 Dec. ....	Mubi-Buea	Scheduled flight	
20 Dec. ....	Buea-Douala	Charter flight	Douala
21 Dec. ....	Douala-Garoua	Scheduled flight	
	Garoua-Mubi	Car	Mubi
22 Dec. ....	Mubi-Gulak-Gwoza-Bama	Car	Bama
23 Dec. ....	Bama-Dikwa-Fort Lamy (Republic of Chad)	Car	Fort Lamy (Republic of Chad)
24 Dec. ....	Fort Lamy-Teheran	Scheduled flight	
<i>1961</i>			
10 Jan. ....	Teheran-Douala	Scheduled flight	Douala
11 Jan. ....	Douala-Garoua	Scheduled flight	
	Garoua-Mubi	Chartered flight	
11/12 Jan. ....	Mubi		Mubi
13 Jan. ....	Mubi-Garoua	Charter flight	
	Garoua-Douala	Scheduled flight	
	Douala-Buea	Charter flight	
17 Jan. ....	Buea-Douala	Charter flight	Douala
18 Jan. ....	Douala-Garoua	Scheduled flight	
	Garoua-Mubi	Charter flight	Mubi
19 Jan. ....	Mubi		Mubi
20 Jan. ....	Mubi-Michika-Gulak-Mubi	Car	Mubi
21 Jan. ....	Mubi		Mubi
22 Jan. ....	Mubi-Ganye-Mubi	Charter flight	Mubi
23 Jan. ....	Mubi-Garoua	Charter flight	Mubi
	Garoua-Yaoundé	Scheduled flight	Yaoundé
24 Jan. ....	Yaoundé-Douala	Scheduled flight	
	Douala-Buea	Charter flight	
30 Jan. ....	Buea-Bamenda	Charter flight	Bamenda
31 Jan. ....	Bamenda-Ganye-Mubi	Charter flight	Mubi
1 Feb. ....	Mubi-Maiduguri	Charter flight	
	Maiduguri-Dikwa-Bama	Car	Bama
2 Feb. ....	Bama-Gulak-Michika-Mubi	Car	Mubi
3 Feb. ....	Mubi-Garoua	Charter flight	
	Garoua-Douala	Scheduled flight	
	Douala-Buea	Charter flight	

<i>Date</i>	<i>Sector</i>	<i>Transportation</i>	<i>Overnight stop</i>
<i>1961</i>			
11 Feb. ....	Victoria-Tiko	Car	
	Tiko-We-Wum-Bali (Bamenda)	Charter flight	
	Bali-Bamenda	Car	Bamenda
12 Feb. ....	Bali-Ganye-Mubi	Charter flight	
	Mubi-Michika-Mubi	Car	Mubi
13 Feb. ....	Mubi-Ganye-Baissa-Bali		
	(Bamenda)-Buea	Charter flight	
16 Feb. ....	Departed from the Territory	Scheduled flight	

### *Chapter V*

#### **Communications between the Northern and Southern Cameroons and with areas outside the Trust Territory**

43. One of the major problems besetting both the substantive and administrative aspects of the United Nations Plebiscite supervision stemmed from the singular lack of communication facilities between the northern and southern parts of the Trust Territory and to a somewhat lesser though serious extent, within the two parts themselves. In this context, communications refers to the wider sense of the term, not being confined merely to mail, telephone, telegraph and radio facilities, but including land and air communications as well. I cannot emphasize too strongly the point that in an effort requiring the supervision of two separate plebiscite operations, being conducted simultaneously in a Territory extending from north to south over a distance of 700 miles, or between Lake Chad and Victoria, respectively, the lack of communication facilities tended to magnify the substantive problems inherent in such an operation and placed additional burdens on the shoulders of all concerned.

44. Beyond this, there also existed, though to a lesser extent, the problem of communications with points outside the Trust Territory itself. Telephonic communications between Buea, where my headquarters was located and Lagos in Nigeria, were subject to frequent disruptions and as such unreliable. While most messages transmitted by telegraph to United Nations Headquarters in New York, as well as to other points, reached, generally speaking, their destination within a reasonable period of time, transmission was restricted to a few hours in the mornings and afternoons during week days and closed down entirely on Sundays. Any further contact with the outside was limited to a thrice-weekly air service between Lagos and Buea by which diplomatic bags and mail were sent to and from the Mission area. Yet, even in this case, normal air mail to New York usually required from seven to eight days for delivery from point of origin to destination and diplomatic bags were frequently delayed en route. A routing change in diplomatic bags to Douala in the Republic of Cameroun during the latter stages of the plebiscite operations produced little improvement in the situation, because of delays in delivery and dispatch.

45. With the arrival in August 1960 of the United Nations administrative and field staff in the Territory, every effort was made to arrange for the establishment of communications between central headquarters at Buea in the Southern Cameroons and field headquarters at Mubi in the Northern Cameroons. This proved to be a formidable task, for not only was it necessary to make arrangements for equipment, but also to overcome difficulties resulting from the rainy

season. The rains which lasted until early November made most roads and tracks impassable to vehicular traffic and, consequently, in both parts of the Territory frequent detours had to be made with attendant long delays. Since no rail transport exists between the two parts and no direct roads connect the Northern and Southern Cameroons, I had to rely in the early stages of the plebiscites entirely on air charters for maintaining liaison between my two headquarters. A weekly charter flight from Tiko (Buea's airport) to Mubi with stopovers in Mamfe, Bamenda, Baissa, Beli (near Serti) and Jada, enabled me to maintain contact with the Observers and with the United Nations liaison officer in Mubi. It also served as the main means of delivery of instructions, mail and other materials and of collection of reports and communications. By the end of the rainy season, however, which coincided with the concluding stages of the registration periods in the north and the south, road conditions had gradually improved within each of the two parts of the Territory, and it was possible to eliminate the expensive charter flights and instead use motor transport for the delivery of mail and supplies. For the conveyance of mail and transport of personnel between the two parts of the Territory, it was decided to rely normally on commercial airlines in the Republic of Cameroun serving Douala, Garoua and Fort Lamy in the Republic of Chad. Although this route was circuitous and required travel by either road or air between Buea and Douala and again between Garoua and Mubi, this method of transportation proved to be both reliable and satisfactory and, at the same time, made it possible to effect considerable savings in the budget of the Mission.

46. But it still remained to find ways and means of overcoming the problem created by the appalling lack of telegraphic and telephonic communications between the two parts of the Territory and to enable me to communicate quickly between north and south. This was a matter concerning which, on the basis of my experience in the 1959 plebiscite, I had made representations to the Administering Authority as early as 4 January 1960 when, during my meeting with officials of the Colonial Office in London, I called attention to the need for the establishment of adequate wireless communications between observer stations and my headquarters at Buea. Having been assured that this question would be taken into account by the Administering Authority in its forthcoming preparations, the Administering Authority informed me in June that it was hopeful that a telephonic link might be set up between Mubi and Buea. At the same time, I was advised that a telegraphic link could and would be established between the two headquarters through Lagos and that it was expected to complete preparations for such a link by September 1960. In August, word reached me again that by early September radio communications would be installed in Mubi which, under favourable

conditions, would permit voice contact between Buea and Mubi. During my discussions held in London on 7 September, the Colonial Office assured me that with the improvements then being made, all necessary requirements regarding communications would be fulfilled. Nevertheless, upon my arrival in the Territory, I found that telephonic as well as telegraphic communications were far from satisfactory, providing at best unreliable means of contact. Although the United Kingdom Administration had installed modern radio equipment, telephone contacts between Mubi and Buea, through Lagos, proved to be extremely difficult owing to frequent atmospheric disturbances in the area. Similarly, and under the most favourable conditions, telegrams required two days to reach their destination through the same channel. It was not until mid-December that conditions improved sufficiently to permit occasional telephone contacts between the two headquarters. The presence in the Southern Cameroons of a battalion of the King's Own Royal Border Regiment provided us with the welcome opportunity to use its radio facilities for establishing direct voice and telegraphic contact with the radio station in Mubi and to solve the problems which had beset us from the outset of our stay in the Territory. It enabled me and my staff to make twice daily voice and telegraph contacts between the two points.

47. I wish to take this opportunity to express my sincere gratitude to Her Majesty's Forces for the valuable co-operation they extended to me.

#### *Chapter VI*

### **Questions arising out of Trusteeship Council resolution 2013 (XXVI)**

#### **A. GENERAL REMARKS**

48. By resolution 2013 (XXVI) of 31 May 1960, the Trusteeship Council requested the Administering Authority, *inter alia*, "to take appropriate steps, in consultation with the authorities concerned, to ensure that the people of the Territory are fully informed, before the plebiscites, of the constitutional arrangements that would have to be made, at the appropriate time, for the implementation of the decisions taken at the plebiscites."<sup>10</sup>

49. Prior to my arrival in the Territory, I felt it necessary to ascertain the steps being taken by the Administering Authority to comply with the request addressed to it by the Trusteeship Council and the progress made in obtaining from the Federation of Nigeria and the Republic of Cameroun clarification of the constitutional position in case the majority of the people of the Southern and Northern Cameroons voted in favour of joining one or other of those neighbouring countries. On 7 September 1960, at a meeting held in London at the Colonial Office, I was advised that the United Kingdom Government were continuing to make efforts to clarify the meaning of the two questions to be put to the people of both sections of the Territory. As regarded the Federation of Nigeria, I was informed, the terms on which each part of the Cameroons would be united with Nigeria, if it was so decided, were clear. As regarded the Republic of Cameroun, the terms were not yet clear, but talks had taken place between Mr. Foncha, the Premier of the Southern Cameroons, and Mr. Ahidjo, the President of the Republic of Cameroun, and while there seemed to be agreement that the Southern Cameroons would unite with the Republic of Came-

roun on a federal basis, a great deal remained to be worked out. Nothing had been heard at the time about the conditions upon which the Northern Cameroons would unite with the Republic, in the event of the vote favouring such alternative.

50. Shortly after my arrival in the Territory, I began discussions concerning the clarification of the plebiscite alternatives with the Commissioner of the Southern Cameroons and the Southern Cameroons Plebiscite Administrator, on the one hand, and with the Administrator of the Northern Cameroons, on the other.

51. In this connexion, I was informed by the Administering Authority that, following upon the adoption of General Assembly resolution 1352 (XIV), the Commissioner of the Southern Cameroons had drawn the attention of the Premier of the Southern Cameroons, Mr. Foncha, and certain of his colleagues, to the fact that whereas the implications of a choice for joining Nigeria were known, the implications of a choice for joining the Republic of Cameroun were not, and informed them that a duty clearly rested upon them to work out in consultation with the Prime Minister of the then Trust Territory of Cameroun under French administration the terms upon which the Southern Cameroons would be accepted into the Republic if a majority of the people in the plebiscite favoured that choice. Mr. Foncha had private discussions with the President of the Republic of Cameroun, Mr. Ahidjo, during that country's independence celebrations at the beginning of January 1960 and proposed that further and fuller discussions should be held in February. No discussions in fact took place in February.

52. In January 1960, the Administering Authority decided to take the initiative in inviting the Government of the Republic of Cameroun to enter into discussions with a view to clarifying the issues involved. For this purpose discussions were to be held between representatives of the United Kingdom Government, the Government of the Republic and the Southern Cameroons. Mr. Foncha and his colleagues welcomed this proposal and Her Majesty's representative in Yaoundé was accordingly instructed to make such an approach to the Government of the Republic of Cameroun. The United Kingdom *chargé d'affaires* at Yaoundé saw President Ahidjo on 10 February and informed him that the United Kingdom Government would welcome informal discussions between him and Mr. Foncha on problems of unification. President Ahidjo replied that talks, which he recognized would be exploratory, could not be held before elections, which were due to take place in the Republic of Cameroun in the following April, and that he could not therefore come to any definite agreement with Mr. Foncha at the time.

53. In March 1960, Sir Sydney Philipson (formerly Financial Secretary, Nigeria, and later Chairman of the Governing Council of Ibadan University College) was appointed Constitutional and Economic Adviser to assist Mr. Foncha and his ministerial colleagues in an examination of the constitutional, fiscal and economic problems likely to arise out of joining the Republic and to help them to formulate any proposals they might wish to put forward. On 5 March the Minister of Foreign Affairs of the Republic of Cameroun gave the United Kingdom ambassador in Yaoundé to understand that it was very unlikely that President Ahidjo would be able to visit Buea before the Cameroun elections scheduled for 10 April 1960. On 17 March Her Majesty's Ambassador saw President Ahidjo and again

<sup>10</sup> See annex II.

emphasized the United Kingdom Government's hope for an early meeting between him and Mr. Foncha. The President himself saw no possibility of going to Buea before the end of May.

54. I was also informed that on 4 June the United Kingdom Ambassador in Yaoundé told the Prime Minister and the Minister of Foreign Affairs that it was the United Kingdom Government's desire to start talks at ministerial level as soon as possible, if a Presidential visit was impossible. On 9 June, the Ambassador again saw the Prime Minister who said the President would like to go to Buea in July. Subsequently, Mr. Foncha sent an outline of his constitutional proposals to Mr. Ahidjo and suggested that an early opportunity be found to discuss them. At the same time, the Ambassador issued a formal invitation to Mr. Ahidjo to visit the Southern Cameroons for this purpose. From 15 to 17 July 1960, Mr. Ahidjo paid a state visit to the Southern Cameroons, in the course of which he and certain members of his Government held discussions with Mr. Foncha and his colleagues, and at the end of which the following communiqué was issued:

"The representatives of the two parts of the Kamerun met at Buea to discuss various aspects of the reunification of the British trust territory with the Republic of Cameroun as desired by their people.

"The debates on various items on the agenda were conducted in an atmosphere of sincerity. Finally the following resolution was unanimously adopted:

"(1) *Reaffirmed* their people's strong desire for reunification;

"(2) *Agreed* to reunify on a federal basis adaptable to conditions peculiar to all sections of Kamerun;

"(3) *Decided* to set up a Joint Committee to study the various constitutional problems that may result from reunification;

"(4) *Resolved* that a conference to represent all sections of Kamerun should be held on a later date to examine the proposals of the Joint Committee."

55. Subsequently, three ministers of the Southern Cameroons Government visited Yaoundé from 10 to 13 August 1960 for further discussions with the representatives of the Republic. They took with them further outline proposals for a federal constitution.

56. An account of the discussions which I held with representatives of the Administering Authority, as well as other developments concerning the implementation of Trusteeship Council resolution 2013 (XXVI), is given in separate sections below.

## B. SOUTHERN CAMEROONS

### 1. *The alternative of joining the Federation of Nigeria*

57. The implications of the Southern Cameroons joining the Federation of Nigeria were discussed at the Resumed Nigeria Constitutional Conference held in London in 1958. In paragraph 70 of the report by the Conference it was stated:

"The Conference confirmed that, if this proved to be the wish of the people of the Territory, Nigeria would welcome the Southern Cameroons as part of the Federation with the status of a full self-governing Region equal in all respects with the other Regions in an independent Nigeria".

58. This was confirmed at the constitutional discussions between Nigerian ministers and ministers of

the United Kingdom which were held in London in May 1960. In the final communiqué issued after these discussions it was stated:

"There was an exchange of views on the Cameroons under British Trusteeship which, in accordance with the resolution of the United Nations, would be separated from Nigeria when Nigeria became independent. It was noted that the questions in the plebiscites to be held early in 1961 posed a choice between joining Nigeria or joining the Republic of Cameroun. It was agreed that if the Southern Cameroons joined Nigeria it would, as stated in paragraph 70 of the 1958 Conference Report, be with the status of a full self-governing Region equal in all respects with the other Regions. It was hoped to ascertain from the Government of the Republic of Cameroun the terms on which the Northern and/or Southern Cameroons would enter the Republic."

59. This declaration was published in a White Paper *Nigeria Constitutional Discussions, May 1960*<sup>11</sup> and was confirmed by the Prime Minister of the Federation of Nigeria in a public broadcast on 21 January 1961. A statement of the constitutional position of the Southern Cameroons in the event of its electing to become a part of the Federation of Nigeria was published on pages 7 to 12 of the official publication *The Two Alternatives*.<sup>12</sup> This statement was published with the approval of the Nigerian Government.

### 2. *The alternative of joining the Republic of Cameroun*

60. As has already been stated above, preliminary discussions concerning the constitutional position of the Southern Cameroons, in the event it decided to join the independent Republic of Cameroun, had been held during January and July 1960 between the Premier of the Southern Cameroons and the President of the Republic of Cameroun. A third meeting was held in Yaoundé between 10 and 14 October 1960, at the conclusion of which a resolution and an outline of the draft proposal of a constitution in the event of unification were adopted. These documents were signed by the President and the Prime Minister of the Republic of Cameroun and the Premier of the Southern Cameroons Government. The text of the resolution and the outline proposals for a draft constitution were transmitted to me by the Deputy Commissioner of the Southern Cameroons and were published in a press release issued by the Information Service of the Southern Cameroons Government on 17 October 1960.

61. The resolution recalled the decision taken at the Fourteenth Session of the United Nations General Assembly concerning the plebiscites to be held in the Northern and Southern Cameroons and stated that in the event of a vote favouring the joining of the Southern Cameroons with the Republic of Cameroun "the implementation of the re-unification on the Federal basis adaptable to conditions peculiar to all sections of the Cameroons cannot be automatic but gradual".

62. The second document entitled *Outline Proposals for a draft Constitution for a Federal United Kamerun Republic*, stated that at the third meeting the representatives of the Government of the Republic of Cameroun and the Government party in the Southern

<sup>11</sup> London, Her Majesty's Stationery Office, June, 1960, Cmnd. 1063.

<sup>12</sup> See annex XIV.

Cameroons continued their "discussions on a draft constitution for the unification of the Republic of Cameroun and the Northern and Southern British Cameroons". The signatories to this document declared that they intended to do everything possible to implement the country-wide desire for unification to which they had dedicated themselves and re-affirmed that the territories should be unified as a "Federal sovereign State outside the British Commonwealth and the French Community". They also agreed on a draft constitution, the main features of which would be the following: the Federation would be composed of the Republic of Cameroun and the Southern Cameroons and the two parties hoped that the Northern Cameroons would join the Federation either as a separate State or as a unit within the Southern Cameroons; the Federation of Kameroun States would be democratic and freedom of worship, of speech, of the press and of movement would be guaranteed; the Federation would have a common motto, national anthem and a national flag and all indigenous people in all the states would enjoy Cameroun citizenship. The minimum federal subjects would be: citizenship, civil rights, national defence, foreign affairs, higher education, immigration and emigration, federal budget and posts and telegraphs. The remaining subjects which were likely to fall within the power of the federal government would, for the time being, be legislated on by the states.

63. The legislature of the federation would be composed of two legislative houses, namely, a National Assembly and a Senate. The supreme authority of the federated states would be "the Federal Executive, with the President, who is also the Head of the Federation, and the National Assembly". Certain federal acts were to be enacted in such a way that the majority should not impose on any state a measure which would be contrary to its interests.

64. The outline further provided that in case of a conflict between a federal law and a law of any particular state, the federal law would prevail; that the states could legislate only on matters which did not fall within the federal powers and that a federal tribunal would arbitrate on conflicts arising between the states; a federal court of justice would co-ordinate the two judicial systems and create a federal supreme court of appeal. The then existing organs of government would continue until the federal State was established.

65. Both the resolution and the outline proposals agreed upon at the Yaoundé meetings were given publicity the very day of my arrival in the Southern Cameroons. Inasmuch as they purported to have been signed by Mr. Foncha for and on behalf of the Government of the Southern Cameroons, I felt it necessary to ascertain whether these agreements had the official endorsement of the Administering Authority and could be construed as providing a basis for an official explanation of the second alternative in the plebiscite, in compliance with the request addressed to the Administering Authority under paragraph 3 of Trusteeship Council resolution 2013 (XXVI).

66. On 26 October 1960, after my return to Buea from the first visit to the Northern Cameroons, I held a meeting with the Southern Cameroons Plebiscite Administrator and the Commissioner of the Southern Cameroons, who made it clear that Mr. Foncha had signed the Yaoundé agreements as Leader of the Government Party and not on behalf of the Southern Cameroons Government. At the same meeting, the Plebiscite

Administrator informed the Commissioner that the publication of the Yaoundé agreements had created some confusion in the Southern Cameroons as to whether or not they enjoyed official sanction. With a view to having the matter officially clarified, he addressed a letter to the Commissioner requesting from him an authoritative statement on the subject, to which the latter replied that "this statement was signed by Mr. Foncha in his personal capacity and was issued by him as a statement of the intentions of the party he heads". The Southern Cameroons Government, the Commissioner continued, was neither a party to the resolution nor to the declaration contained in the outline proposals and was in no way committed to them. Furthermore, the press release containing the outline proposals was not an authoritative statement made on behalf of the Southern Cameroons Government.

67. Although some progress had been made in regard to the elucidation of the alternative for joining the Republic by the Yaoundé agreements, the fact that these agreements neither constituted the official position of the Southern Cameroons Government nor had the endorsement of the Administering Authority, did not make it possible to use them as a basis for the enlightenment campaign which the Plebiscite Administrator had planned. It appeared, therefore, that further negotiations between the parties concerned would be necessary before an authoritative statement on the meaning of the second question at the plebiscite could be issued. Being aware of the increasing urgency to explain the meaning of the plebiscite alternatives to the people of the Territory and of the length of time generally required to conduct government negotiations, I deemed it necessary to address, on 29 October 1960, the following letter to the Commissioner of the Southern Cameroons:

"I wish to recall your attention to Trusteeship Council resolution 2013 (XXVI) of 31 May 1960, entitled "Future of the Trust Territory of the Cameroons under United Kingdom administration" by which, taking into account General Assembly resolutions 1352 (XIV) and 1473 (XIV), the Council requested the Administering Authority 'to take steps, in consultation with the Authorities concerned to ensure that the people of the Territory are fully informed, before the plebiscites, of the constitutional arrangements that would have to be made, at the appropriate time, for the implementation of the decisions at the plebiscites'.

"Considering the need for providing ample opportunity to allow for the widest dissemination of information concerning the issues involved in the plebiscite and taking into account the communication difficulties prevailing in the Territory, I feel sure that the Administering Authority will agree with me that no time should be lost during the relatively brief period remaining before polling day to inform the people of the Southern Cameroons, in accordance with paragraph 3 of Trusteeship Council resolution 2013 (XXVI), about the precise terms under which they may expect to join either the Republic of Cameroun or the Federation of Nigeria.

"I consider an early clarification by the Administering Authority of the issues involved to be a matter of the greatest urgency and an indispensable prerequisite to enabling the people of the Southern Cameroons to acquaint themselves fully and accurately with the choices before them in the plebiscite. I

would, therefore, appreciate receiving from you at the earliest possible moment a statement outlining the measures taken or contemplated by the Administering Authority towards the implementation of the provisions contained in paragraph 3 of Trusteeship Council resolution 2013 (XXVI)."

68. In the meantime, the Secretary of State for the Colonies had agreed, at the suggestion of the Premier of the Southern Cameroons, to hold talks with Mr. Foncha and Ministers of the Southern Cameroons in London, to which members of the Opposition parties were also invited. The conference, which was held between 10 and 13 October 1960, included the following representatives from the Southern Cameroons:

Hon. J. N. Foncha, Premier; Hon. S. T. Muna, Minister of Commerce and Industries; Hon. A. N. Jua, Minister of Social Services; Hon. W. N. O. Effiom, Minister of Works and Transport; Dr. E. M. L. Endeley, O.B.E., Leader of the Opposition; Mr. P. N. Motomby-Woleta, Opposition Chief Whip; Rev. J. C. Kangsen, CPNC, Member for Wum Central; Mr. S. E. Ncha, CPNC, Member for Mamfe North; Mr. P. M. Kale, Leader of the CUP; Galega II, Fon of Bali; Chief Oben of Mamfe.

At the conclusion of the conference the following communiqué was issued:

"The talks between the Secretary of State for the Colonies (Mr. Iain Macleod) and an all party delegation from the Southern Cameroons have been concluded.

"The General Assembly of the United Nations decided last year that the two questions in the plebiscite to be held in the Southern Cameroons on February 11th, 1961, are to be:

"(1) Do you wish to attain independence by joining the independent Federation of Nigeria? or,

"(2) Do you wish to attain independence by joining the independent Republic of the Cameroun?"

"It will be recalled that the Trusteeship Council has asked the Administering Authority to take steps in consultation with the authorities concerned to ensure that the people of the Territory are fully informed, before the plebiscites of the constitutional arrangements that would have to be made, at the appropriate time, for the implementation of the decisions at the plebiscite.

"The implications of joining the Federation of Nigeria have already been made clear, namely that the Southern Cameroons would become a separate Region in the Federation. The main matter discussed at the talks was the implications of the second choice.

"The talks revealed that there were considerable differences of view on this subject.

"The Secretary of State said that in the view of Her Majesty's Government the United Nations, in adopting the two alternatives of joining Nigeria or joining the Cameroun Republic, clearly ruled out a period of continuing Trusteeship or separate independence for the Southern Cameroons. In Her Majesty's Government's view therefore if the plebiscite goes in favour of the Cameroun Republic arrangements would have to be made for the early termination of Trusteeship and the transfer of sovereignty to the Republic. The Secretary of State had noted that the Premier of the Southern Cameroons had ascertained from the President of the Cameroun Re-

public that a Federal form of constitution would be acceptable.

"In the Secretary of State's view the following interpretation would be consistent with the second question:

"A vote for attaining independence by joining the Republic would mean that, by an early date to be decided by the United Nations after consultation with the Governments of the Southern Cameroons, the Cameroun Republic and the United Kingdom as Administering Authority, the Southern Cameroons and the Cameroun Republic would unite in a Federal United Cameroun Republic. The arrangements would be worked out after the plebiscite by a conference consisting of representative delegations of equal status from the Republic and the Southern Cameroons. The United Nations and the United Kingdom would also be associated with this conference. During the short period while the arrangements for transfer were being made the United Kingdom would of course be ready to continue to fulfil their responsibilities under the Trusteeship Agreement.

"Mr. Foncha, the Premier of the Southern Cameroons expressed the hope that the United Nations would be prepared, if the vote went in favour of the Cameroun Republic, to agree to a period of independence for the Southern Cameroons during which preparations would be made for the unification of the Southern Cameroons with the Cameroun Republic on a Federal basis. He recognized that this interpretation would require the specific endorsement of the United Nations. In Mr. Foncha's view the arrangements for unification should follow the broad lines of the agreement he had reached with President Ahidjo.

"The delegates representing the Opposition party within the Southern Cameroons Legislature took broadly the same view as the United Kingdom Government. They held that the people of the Southern Cameroons should be told plainly that if they voted to join the Cameroun Republic this would quite definitely happen within a short time. They also expressed the strong view that publication should be given before the plebiscite to the arrangements for joining the Cameroun Republic.

"All delegates agreed that subject to the concurrence of the President of the Cameroun Republic and in the absence of a new definition by the United Nations of the meaning of the second question the formula put forward by the Secretary of State and quoted above would be acceptable to them.

"In view however of the differences of interpretation of the meaning of the second question the delegates considered that the United Nations should be apprised of the differing viewpoints and asked to give an authoritative ruling as soon as possible.

"At the discussions with delegates from the Southern Cameroons, which have concluded in London, questions of financial assistance, defence and constitutional changes were raised. The Secretary of State for the Colonies (Mr. Iain Macleod) took note of the views of delegates but could not enter into any commitments with regard to any of these matters before the plebiscite in February, 1961.

"All delegates paid tribute to the conduct of the British Troops in the Southern Cameroons whose presence and good relations with the people were much appreciated."

69. It will be noted that in accordance with the Secretary of State's interpretation of the second question at the plebiscite, a vote in favour of achieving independence by joining the Republic of Cameroun would mean that (a) the Southern Cameroons would unite with the Republic of Cameroun, by an early date to be decided by the United Nations after consultation with the Governments concerned and the Administering Authority, in a Federal United Cameroun Republic; (b) the arrangements would be worked out by a post-plebiscite conference consisting of representative delegations from the Republic and the Southern Cameroons, with which the United Nations and the United Kingdom would be associated; (c) the period to work out the arrangements for transfer would be of short duration and the United Kingdom would in the meantime continue to fulfil its responsibilities as Administering Authority.

70. In view of the fact that all delegates agreed to the formula presented by the Secretary of State on the meaning of the second question, and in the absence of a new definition of the question by the United Nations, it was recognized that the next step was to obtain the concurrence of the President of the Cameroun Republic with this formula. The participants also recognized the differences of interpretation of the meaning of the second question which emerged during the discussion and considered, therefore, that the United Nations should be apprised of the different view points and be asked to give an authoritative ruling as soon as possible.

71. Prior to deciding on an appearance before the General Assembly of the United Nations, Mr. Foncha sought a meeting with President Ahidjo which was held in Yaoundé on 1 and 2 December 1960. At this new meeting, the fourth to be held between Mr. Foncha and Mr. Ahidjo, the two parties agreed to the points contained in the following communiqué, copy of which was provided to me by Mr. Foncha:

"The Delegates of the Government Party of the Southern Cameroons led by Hon. J. N. Foncha, Premier of the Southern Cameroons, just back from London, where they had had talks with the Colonial Secretary on the future of that Territory, have met in Yaoundé for the fourth time, from 1st to 2nd December, with a delegation of the Government of the Republic of Cameroun led by President A. Ahidjo.

"The two parties agreed fully:

"1. That the General Assembly of the United Nations has clearly put the two questions in the plebiscite to be held on February 11th 1961:

"(a) Do you wish to attain independence by joining the independent Federation of Nigeria?

"(b) Do you wish to attain independence by joining the independent Republic of Cameroun?

"2. That the two delegations while endorsing the interpretation of the second question arrived at the London Conference, deeply regret that representatives from the Northern Cameroons were not invited to take part at this conference and demand:

"(a) That immediately after the plebiscite, and in case the vote goes in favour of joining the Republic of Cameroun a conference shall be held with representatives from the Southern Cameroons, the Republic of Cameroun, as well as from the Northern Cameroons.

"(b) That this Conference, in which representatives from the United Nations Organization and the

Administering Authority will take part, shall have to determine the period and terms of the transfer of sovereignty to a body representing the future federation."

72. After his return from Yaoundé, Mr. Foncha informed me that in his view the new agreement, together with the conclusions reached at previous meetings with the President of the Cameroun Republic, provided sufficient clarification to explain to the people of the Southern Cameroons the meaning of the second question and the constitutional arrangements that would have to be made in the event the Southern Cameroons decided to join the Republic of Cameroun. His party intended to issue a statement regarding this matter. Furthermore, since the President of the Republic of Cameroun had given his endorsement to the Secretary of State's formula, Mr. Foncha saw no further need for taking the matter to the General Assembly of the United Nations.

73. Although I had been aware of the negotiations between the Premier of the Southern Cameroons and the President of the Republic of Cameroun, and of the encouragement the Administering Authority was giving to these efforts, I felt, nevertheless, that it was a matter of urgency to obtain from the Administering Authority itself a statement concerning its efforts to implement the request contained in paragraph 3 of Trusteeship Council resolution 2013 (XXVI). Having received no reply to my letter of 29 October, I addressed, on 6 December 1960, the following communication to the Acting Commissioner of the Southern Cameroons:

"I wish to refer to my letter of 29 October 1960 addressed to His Honour, the Commissioner of the Southern Cameroons, by which I drew his attention to paragraph 3 of Trusteeship Council resolution 2013 (XXVI) whereby the Council requested the Administering Authority 'to take steps, in consultation with the authorities concerned, to ensure that the people of the Territory are fully informed, before the plebiscites, of the constitutional arrangements that would have to be made, at the appropriate time, for the implementation of the decision at the plebiscites'.

"I would also recall that in the same letter I requested His Honour to receive at the earliest possible moment a statement outlining the measures taken or contemplated by the Administering Authority towards the implementation of the above mentioned request of the Trusteeship Council.

"As of this moment, I regret not having received a reply from His Honour on a matter which I consider to be of very great urgency and an indispensable prerequisite to enable the people of the Southern Cameroons to acquaint themselves fully with the choices before them in the plebiscite. For this reason, I would like to reiterate my request that a statement be submitted to me without delay concerning the Administering Authority's intention in this matter."

74. On 9 December 1960, the Acting Commissioner of the Southern Cameroons replied as follows:

"1. I am directed by the Secretary of State for the Colonies (Mr. Iain Macleod) to reply to your letter of 29th October, 1960, in which you request a statement outlining the measures taken or contemplated by the Administering Authority towards the implementation of the provisions contained in paragraph 3 of Trusteeship Council resolution 2013 (XXVI).

"2. In the view of Her Majesty's Government the implications of one of the two choices—namely that of becoming independent by joining the Federation of Nigeria—have been made abundantly clear. It was announced in May, 1960, that the Federal Government of Nigeria agreed that should the Southern Cameroons decide in favour of joining Nigeria it would be granted the status of a Region within the Federation similar to that of the other Regions. I am sure you will agree that so far as Nigeria is concerned the matter is beyond doubt.

"3. As regards the implications of the other choice—that of joining the Republic of the Cameroun—Her Majesty's Government approached the Government of the Republic early in 1960, and on a number of subsequent occasions, with a view to promoting negotiations on this point. Her Majesty's Government has also repeatedly expressed to the Premier of the Southern Cameroons its view that the terms on which the Territory might be united with the Cameroun Republic should be discussed between him and the Government of the Republic. The Trusteeship Council Resolution invites the Administering Authority to take steps "in consultation with the Territories concerned" and Her Majesty's Government considered it appropriate for Mr. Foncha to consult directly with the President of the Cameroun Republic.

"4. As you are aware, a number of meetings have taken place both in Yaoundé and in Buea at which Mr. Foncha and his colleagues have discussed this question with President Ahidjo and members of his Government. These meetings resulted finally in a communiqué which was issued after the meeting held in Yaoundé early in October, a copy of which has already been supplied to you.

"5. Subsequently, and as you are also aware, the Secretary of State for the Colonies (Mr. Iain Macleod) agreed at the request of Mr. Foncha to receive a delegation representing government and other parties in the Southern Cameroons. Discussions were held during November when this matter was reviewed. A communiqué setting out the results of these discussions was issued on 17th November, and a copy of this communiqué has been supplied to you. As the communiqué says, Her Majesty's Government took the view that a period of independence for the Southern Cameroons before union with the Cameroun Republic such as was sought by Mr. Foncha was not consistent with the questions which had been decided upon by the General Assembly and that in view of the interpretation which Mr. Foncha wished to place upon the question of joining the Cameroun Republic the matter would have to be put before the General Assembly once again for an authoritative ruling. They have conveyed this communiqué with a statement of their own views to President Ahidjo. Mr. Foncha has subsequently issued a further statement, of which a copy is attached, from which it will be seen that he now agrees with Mr. Macleod's interpretation of this question."

75. It will be noted from this letter that Her Majesty's Government were satisfied that the implications of the Nigerian proposition had been made abundantly clear. In regard to the implications of the other choice—that of joining the Republic of Cameroun—the letter outlined the efforts made to clarify the terms under which the Territory might be united with the Republic of Cameroun, but no views were expressed by Her Ma-

jesty's Government as to whether the agreements reached between the Premier of the Southern Cameroons and the President of the Republic of Cameroun at their various meetings had made the implications of the second choice sufficiently clear. In the circumstances, I deemed it necessary to address, on 12 December 1960, the following letter to the Acting Commissioner of the Southern Cameroons:

"I wish to acknowledge the receipt of your letter dated 9 December 1960 which you directed to me at the request of the Secretary of State for the Colonies in reply to my letter of 29 October whereby I requested from the Administering Authority a statement outlining the measures it had taken or was contemplating towards the implementation of paragraph 3 of Trusteeship Council resolution 2013 (XXVI).

"I have taken note of the statements contained in paragraph 2 of your letter that 'in the view of Her Majesty's Government the implications of one of the two choices—namely that of becoming independent by joining the Federation of Nigeria—have been made abundantly clear', and 'that so far as Nigeria is concerned the matter is beyond doubt.'

"I have noted after careful study of the considerations set out in your letter regarding the steps being taken to clarify the implication of the second choice, namely that of becoming independent by joining the Republic of Cameroun, no views have been expressed by Her Majesty's Government as to whether the agreements reached between the Premier of the Southern Cameroons and the President of the Republic of Cameroun, and the acceptance of the formula put forward by the Secretary of State for the Colonies by all parties concerned have made the implications of the second choice sufficiently clear within the meaning of paragraph 3 of Trusteeship Council resolution 2013 (XXVI). Since the receipt of your letter of 9 December 1960, I have been informed by the United Nations Headquarters that the representative of the Administering Authority made a statement in the Fourth Committee of the General Assembly to the effect that in view of the agreement reached between Mr. Foncha and Mr. Ahidjo at Yaoundé on 3 December 1960, his Government saw no necessity for the General Assembly to take this matter up now.

"In the light of the above, I would be grateful to receive from you at the earliest possible moment, before the date of adjournment of the General Assembly ten days hence, a statement indicating whether, as a result of the discussions held in London and those held in Buea and Yaoundé, referred to in your letter, Her Majesty's Government believe that they are in a position to fulfil the request addressed to the Administering Authority in paragraph 3 of Trusteeship Council resolution 2013 (XXVI) concerning both questions in the Plebiscite, and whether Her Majesty's Government intend, in case of a negative reply to this question, to advise the General Assembly before the adjournment of its present session to that effect."

76. The reply to this letter was transmitted to me in the following communication, dated 16 December 1960, from the Acting Commissioner of the Southern Cameroons:

"1. I am directed by the Secretary of State for the Colonies (Mr. Iain Macleod) to refer to your letter of 12 December, 1960, on the subject of the request addressed to the Administering Authority in

paragraph 3 of Trusteeship Council resolution 2013 (XXVI) concerning both questions in the plebiscite and to inform you that Her Majesty's Government believe that they are in a position to fulfil this request in respect of the plebiscite question relating to Nigeria. Her Majesty's Government hope that they will be in a position to fulfil the request in respect of the question relating to the Republic of Cameroun as soon as the President of the Republic of Cameroun returns from his present absence abroad. Her Majesty's Government do not, therefore, contemplate raising the implications of this question in the General Assembly before it adjourns, although they had at an earlier stage thought that such action might be necessary.

"2. Her Majesty's Ambassador in Yaoundé has been asked to make a formal approach to the Government of the Republic of Cameroun seeking confirmation of the several statements that have been made in respect of the constitutional changes that will be necessary should the Southern Cameroons elect to join the Republic of Cameroun.

"3. Mr. Foncha, Premier of the Southern Cameroons, has addressed a letter dated 15 December, 1960, to the Prime Minister of the Republic of Cameroun emphasizing the need for the very early publication of a statement embracing the various agreements that have been made between himself in his capacity as leader of the Government Party in the Southern Cameroons and the Government of the Republic bearing upon the constitutional changes that will be necessary should the Southern Cameroons elect to join the Republic of Cameroun. Mr. Foncha expects, in consequence of this approach, to be able to complete his present series of discussions during the forthcoming week."

77. During the meeting between Mr. Foncha and government leaders of the Republic of Cameroun, mentioned in paragraph 3 of the above letter, which took place in Douala on 20 and 21 December 1960, the Premier of the Southern Cameroons handed to President Ahidjo a draft statement on the constitutional position of the Southern Cameroons in the event it should decide to join the Republic of Cameroun. This draft statement, which was designed to be the basis for a federal constitution, had previously been approved by the Premier and his Ministers and attempted to set out in greater detail, under separate headings, the various agreements reached between Mr. Foncha and President Ahidjo. The draft also contained some further ideas of the KNDP on the proposed form of the federation, together with suggestions concerning certain transitional provisions; this draft was used later by the KNDP in its political campaign.

78. Concurrent with the efforts made by Mr. Foncha to clarify the constitutional implications of the second question, the United Kingdom Government, through its embassy in Yaoundé, requested from the Government of the Republic of Cameroun an official statement setting forth the conditions under which, in the Republic's view, the Southern Cameroons might join the Republic. Such a statement, it was envisaged, would form the basis, together with the terms of the undertaking already given by the Federation of Nigeria on the implications of the first question, of the campaign for enlightening the people of the Southern Cameroons which the Administering Authority had planned as part of its organization and conduct of the plebiscite.

79. The reply from the Ministry of Foreign Affairs of the Republic of Cameroun was contained in the following *note verbale* dated 24 December 1960, a copy of which was made available to me by the Acting Commissioner of the Southern Cameroons:

"The Ministry of Foreign Affairs presents its compliments to the British Embassy to Cameroun at Yaoundé and, with reference to its *note verbale* No. F.M. 68 (1041/60) dated 16 December 1960, has the honour to state that, following the conversations which have just taken place at Douala between the President of the Republic of Cameroun and Mr. Foncha, the Premier of the Southern Cameroons, it has been decided that, in connexion with the plebiscite organized in the Southern Cameroons on the question of whether that country should join the Federation of Nigeria or the Republic of Cameroun, the Government of the Republic of Cameroun has announced that it adheres to the spirit of the attached joint communiqués, which indicate its desire for unification with the Cameroons under British Administration on the basis of a Federation.

"The Government of the Republic of Cameroun requests the British Embassy to consider the attached communiqués as an expression of the official views of the Republic and further requests that they be published for the purposes prescribed by Trusteeship Council resolution 2013 (XXVI), referred to in its *note verbale* quoted above."

80. Attached to the *note verbale* from the Ministry of Foreign Affairs were the texts in French of the communiqué and joint declaration issued by Mr. Foncha and President Ahidjo at the conclusion of the third meeting of 10-13 October 1960, as well as the joint communiqué signed by both leaders at the conclusion of their meetings of 1-3 December 1960. The French texts, as transmitted by the Ministry of Foreign Affairs of the Republic, differed in certain respects from the earlier English version which the Southern Cameroons Government Information Service had published and with the English text submitted to me by Mr. Foncha. Since the texts in French, however, constituted the official documents transmitted by the Government of the Republic, the Administering Authority thought it proper to use these documents for the purposes of the enlightenment campaign instead of the earlier versions.

81. On the basis of the undertaking given by the Federation of Nigeria, on the one hand, and the statements transmitted by the Republic of Cameroun, on the other hand, the Administering Authority proceeded with arrangements for the implementation of the decision at the plebiscite. The booklet, published in the *Southern Cameroons Gazette* No. 4, Volume 7 of 27 January 1961 under Southern Cameroons Notice No. 36,<sup>13</sup> was printed and distributed widely throughout the Territory (see para. 202 below).

82. This booklet contained an introduction recalling General Assembly resolution 1354 (XIV) of 16 October 1959 and Trusteeship Council resolution 2013 (XXVI) of 31 May 1960 and stated that it had been prepared in pursuance of the Trusteeship Council's request for the purpose of explaining to the public of the Southern Cameroons the constitutional implications of the two choices. It contained a brief explanation of the implications of joining the Federation of Nigeria and gave an outline account of the consultations held be-

<sup>13</sup> See annex XIV.

tween Mr. Foncha and the President of the Republic of Cameroun on the terms under which the Southern Cameroons might be united with the Republic. The introduction also recalled the London talks of November 1960 and the interpretation given on that occasion to the second alternative at the plebiscite, which had been endorsed by the President of the Republic of Cameroun and Mr. Foncha in their joint communiqué of 2 December 1960. Two chapters followed outlining, respectively, the constitutional position of the Southern Cameroons in the event the people elected to be a part of the Federation of Nigeria and the constitutional position in the event the Southern Cameroons chose to be a part of the Republic of Cameroun.

### C. NORTHERN CAMEROONS

83. On my first visit to the Northern Cameroons, at a meeting held with the Administrator on 20 October 1960, I called his attention to the provisions of paragraph 3 of Trusteeship Council resolution 2013 (XXVI). A few days later, on 29 October 1960, I addressed to the Administrator a letter, similar to the one which I had sent on the same subject to the Commissioner of the Southern Cameroons (see paragraph 67 above), requesting from him a statement outlining the measures taken or contemplated by the Administering Authority towards the implementation of the provisions contained in the Council's resolution.

84. Again on 7 November 1960, the question of obtaining a clarification of the plebiscite alternatives from the Governments concerned was reviewed at a meeting in Mubi with the Administrator, who informed me that he proposed to take steps to this effect.

85. At almost the same time several Observers in the Northern Cameroons informed me that a large number of handbills and posters were being circulated quoting the following statement purporting to have been made by the Government of the Northern Region of Nigeria:

"The Regional Government also declares that if in the forthcoming plebiscite the people of the Trusteeship Territory decide to join the Federation of Nigeria, they will do so on the terms accepted by all political parties at the London Conference and the area will be administered as a separate province of the Northern Region".

During the absence of the Administrator, I addressed a letter on 11 November 1960 to the Deputy Plebiscite Administrator of the Northern Cameroons, calling his attention to the fact that the statement as circulated contained no indication of the date on which it was issued, nor did it show whether it had the endorsement of the Federal Government of Nigeria. I further said that, in my view, a statement of policy concerning the terms under which the Northern Cameroons would join the Federation of Nigeria or one of its Regions should emanate from the Federal Government itself in order to be fully binding. The letter concluded by requesting from the Deputy Plebiscite Administrator a clarification of this matter.

86. At the end of November 1960, the Administrator of the Northern Cameroons flew to Buea in the Southern Cameroons in order to discuss with me certain questions relating to the plebiscite. At a meeting held on 29 November 1960, I raised again, amongst other points, the matter concerning the clarification of the plebiscite alternatives and was informed by the Ad-

ministrator that the United Kingdom Government, through their ambassador in Yaoundé, would formally request from the Government of the Republic an elucidation of the constitutional arrangements that would have to be made in the event the Northern Cameroons decided to join the Republic. As far as the Nigerian proposition was concerned, the Administrator said, the position had been made clear by the Government of the Northern Region, and it merely remained to obtain from the Government of the Federation of Nigeria the official transmission of the statements made by them in this regard.

87. Having received no reply to my letter of 29 October 1960, and in view of the urgency of the matter, I reiterated my request to the Administrator of the Northern Cameroons in a communication dated 6 December similar to the one which I had addressed on the same subject to the Acting Commissioner of the Southern Cameroons (see para. 83 above).

88. By letter dated 15 December 1960, the Administrator replied as follows:

"I have the honour to acknowledge receipt of your letter of the 6th December 1960 in which you request a reply to your letter of 29 October on the subject of paragraph 3 of the Trusteeship Council resolution 2013 (XXVI), whereby the Council requested the Administering Authority 'to take steps in consultation with the authorities concerned, to ensure that the peoples of the Territory are fully informed before the plebiscite, of the constitutional arrangements that would have to be made, at the appropriate time, for the implementation of the decision of the Plebiscites.'

"As you are aware, I have been in communication on the subject of your first letter with Her Majesty's Government, and I am now in a position to reply.

"As regards the choice of becoming independent by joining the Federation of Nigeria, the terms on which the Northern Cameroons would be united with Nigeria are set out in the attached statement which has been approved by the Prime Minister of the Federation of Nigeria.

"As regards the choice of joining the Republic of Cameroun, Her Majesty's Ambassador in Yaoundé has attempted to obtain from the Government of the Republic clarification of what the result of such a choice would be, but it has not yet been possible to arrive at a precise understanding of their views. Her Majesty's Government in the United Kingdom have recently approached the President of the Republic on this subject again. Her Majesty's Government have drawn President Ahidjo's attention to the fact that the Northern Cameroon differs from the Southern in that the only organs of Government which exist as such, apart from the Administration, are Native Authorities dealing with purely local matters. If the Plebiscite resulted in a majority for joining the Cameroun Republic, it would be expected that the staff lent by the Nigerian Government under arrangements of which you are aware (and which were notified to the Trusteeship Council last May—see document T/1530) would be withdrawn by the Nigerian Governments at an early date. If a breakdown were to be avoided therefore, it would appear to be necessary for the Cameroun Republic to appoint authorities to take over their functions in the Northern Cameroons. Her Majesty's Government have inquired of the President what should be said to the

people of the Northern Cameroons regarding the readiness of his Government to appoint authorities and when it would be possible for this to be done. Her Majesty's Government have expressed their willingness to see discussions arranged between President Ahidjo and representatives of the protagonists of unification with the Republic for the purpose of exploring further the terms on which such unification might be arranged."

89. The statement referred to in the third paragraph of the letter quoted above, containing the constitutional position of the Northern Cameroons if it elected to join Nigeria, read as follows:

*"Constitutional position of the Northern Cameroons if it elects to join Nigeria.*

"Paragraph 8 of the Report of the Nigeria Constitutional Discussions held in London in May 1960 stated in respect of the Northern Cameroons that:—

"If the Northern Cameroons joined Nigeria, it would form part of the Northern Region with the new Divisional and local Government arrangements introduced on 1st April, 1960'.

"On the 1st of April 1960, the new and independent Native Authorities of Mubi, Chamba, Gashaka-Mambilla, Gwoza and United Hills were formed from parts of Trust Territory formerly administered as part of Adamawa, Bornu and Benue Provinces. Dikwa Native Authority of course continued as an Independent Native Authority.

"On 1st July 1960 by Legal Notice No. 81 in the Gazette of the Northern Region of Nigeria, a new Province was created to include the Northern Trust Territory divided into Native Authorities as set out above. The objects of the creation of this new province were to guarantee the status of the new Native Authorities and to remove any fear which they might have that in the future they would be made subordinate to any other Native Authority from outside the new Province.

"The Governments of the Federation of Nigeria and of the Northern Region of Nigeria have both confirmed the undertaking given at the London Constitutional Discussions set out above. The Government of the Northern Region of Nigeria has also declared that the area will continue to be administered as a separate province of the Northern Region, if the result of the plebiscite is in favour of joining Nigeria."

90. It will be recalled that the President of the Republic of Cameroun and the Premier of the Southern Cameroons, had declared in the joint communiqué issued at the end of their third meeting, held in Yaoundé from 10 to 13 October 1960, that "the two parties hoped that the Northern Cameroons will also enter into the Federation to be created in the event of the Southern Cameroons uniting with the Cameroun Republic, either as a separate state, or as a part of the Cameroons at present under British Trusteeship." They further stated that "in the event of the Southern and Northern Cameroons voting in favour of reunification, those entrusted with the responsibilities of the affairs of the unified Cameroons would, through mutual agreement, specify the manner in which the population of the Cameroons would be asked to express their opinion on the Federal Constitution". The joint communiqué, signed by President Ahidjo and Mr. Foncha after their fourth meeting on 1 and 2 December 1960 (see para. 71 above), also

stated, *inter alia*, that the two delegations, whilst in agreement with the interpretation of the second question (joining with the Republic of Cameroun) which was accepted in London, "regret that the representatives of the Northern Cameroons were not present at this Conference and asked: (a) that immediately after the plebiscite and in the event of the people voting in favour of unification with the Cameroun Republic, a Conference should be held, attended by representatives of the Cameroun Republic and the Southern and Northern Cameroons; (b) that this Conference, at which representatives of the Trusteeship Authority and possibly those of the United Nations would be present, would have as its aim the fixing of time limits and conditions for the transfer of sovereign powers to an organization representing the future Federation".

91. In reply to his letter of 15 December 1960, I sent on 20 December, 1960 the following communication to the Administrator of the Northern Cameroons:

"I have the honour to acknowledge the receipt of your letter dated 15 December 1960 replying to the letters which I addressed to you on 29 October and 6 December 1960.

"I have noted that as regards the choice of becoming independent by joining the Federation of Nigeria, the terms on which the Northern Cameroons would be united with Nigeria are set out in the statement which was approved by the Federation of Nigeria.

"I have also noted that as regards the choice of joining the Republic of Cameroun, the Administering Authority, through Her Majesty's Ambassador in Yaoundé, has attempted to obtain from the Government of the Republic clarification of what the result of such a choice would be, but that it has not yet been possible to arrive at a precise understanding of their views.

"In my letter of 29 October, you will recall I had stated that considering the need for providing ample opportunity to allow for the widest dissemination of information concerning the issues involved in the plebiscite and taking into account the communication difficulties prevailing in the Territory, I felt sure that the Administering Authority would agree with me that no time should be lost during the relatively brief period remaining before Polling Day to inform the people of the Northern Cameroons, in accordance with paragraph 3 of Trusteeship Council resolution 2013 (XXVI), about the precise terms under which they might expect to join either the Republic of Cameroun or the Federation of Nigeria. These considerations are, in my view, even more pressing now than they were nearly two months ago, as indeed less than two months remain within which the people of the Northern Cameroons might be apprised of the implications arising from the decision they will be called upon to make on 11 and 12 February 1961.

"It is, therefore, my earnest hope that a clarification called for in Trusteeship Council resolution 2013 (XXVI) will be forthcoming as regards the question of joining the Republic of Cameroun. Should it, on the other hand, not be possible to obtain such a clarification, I would be grateful receiving from you information on the steps which the Administering Authority intend to take before the plebiscite in that event."

92. In reply to the request made by the United Kingdom Government through its embassy in Yaoundé, the Government of the Republic of Cameroun, in the

following *note verbale*, dated 4 January 1961, transmitted the communiqué published on 31 December 1960 by the Government of the Republic in regard to the future of the Northern Cameroons:

"The Ministry of Foreign Affairs presents its compliments to the British Embassy to Cameroun and, in reply to its *note verbale* No. F.M. 68 (1041/60), dated 16 December 1960, has the honour to forward herewith the communiqué issued on 31 December 1960 by the Government of the Republic of Cameroun concerning the future of the Northern Cameroons under British administration.

"That communiqué and the previous statements concerning the Southern Cameroons under British administration set out the official views of the Government of the Republic of Cameroun and will enable the Administering Authority fully to inform the people of the Territory under British administration before the plebiscite next February.

"The Ministry of Foreign Affairs has no objection to the publication and circulation of this note and of note No. 291/DIPL/I dated 24 December 1960, together with the annexed documents which were forwarded to the British Embassy at Yaoundé."

93. The *note verbale* made it clear that the communiqué attached to it as well as "the previous statements concerning the Southern Cameroons" constituted the official points of view of the Government of the Republic of Cameroun which, it considered, would enable the Administering Authority fully to inform the population of the Territory on the implications of the choice for joining the Republic prior to polling day. The communiqué attached to the *note verbale*, as transmitted to me by the British Ambassador at Yaoundé, read as follows:

"Having examined resolution 2013 (XXVI) of the Trusteeship Council of the United Nations of May 31, 1960 on the future of the Cameroons under United Kingdom Administration, particularly its paragraph 3 which reads as follows:

"Requests the Administering Authority to take appropriate steps, in consultation with the authorities concerned, to ensure that the people of the Trust Territory are fully informed, before the plebiscites, of the constitutional arrangements that would have to be made, at the appropriate time, for the implementation of the decisions taken at the plebiscites;"

"Noting the initiative taken by the Government of Her Britannic Majesty on December 16, 1960,

"Considering that the administrative separation of the Southern and the Northern parts of the Trust Territory from that of the Federation of Nigeria on October 1st, 1960, as recommended by a resolution of the General Assembly of the United Nations in December 1959 has not been effective up to this date,

"Regretting that the Administering Authority has not conducted the peoples of the Northern Region of the Trust Territory towards their capacity if self-administering as provided by Article 76 b of the United Nations Charter, mostly for having failed to establish a local House of Representatives and a local Government responsible for the interest of that part of the Territory,

"Considering that these facts have considerably prejudiced the exchange of views necessary between the Government of the Republic of Cameroun and the leaders of the political parties of the Northern Cameroons,

"Abstaining from adopting unilateral positions which may not correspond to the aspirations of the peoples in that part of the Trust Territory,

"Having, nevertheless, to meet with the action taken by the Administering Authority in conformity with the recommendation of the Trusteeship Council,

"Recalling the declarations and joint communiqués released after the meeting with the Government's political Party of the Southern Cameroons,

"(1) Proposes to the people brother of the Northern Cameroons under British Administration to vote unanimously for the reunification with the Republic of Cameroun on a basis of free negotiation, immediately after the plebiscite, namely:

"(a) A federation, as envisaged for the Southern Cameroons,

"(b) A provincial autonomy, with a local administration dependent of the Central Government of the Federal Republic

"(c) An administrative unification in the form of regional or provincial collectivities, under the jurisdiction of the present Constitution of the Republic of Cameroun.

"(2) Declares that the procedures of the constitutional modifications in force in the Republic of Cameroun should be applied at the right moment in order to realize that unification."

94. On the basis of the approach made by the United Kingdom Government and the replies it received from the Governments of the Republic of Cameroun and the Federation of Nigeria, the Administrator of the Northern Cameroons published a document entitled *The Northern Cameroons Plebiscite 1961—The Constitutional Arrangements for the Implementation of Decisions at the Plebiscite*. This document,<sup>14</sup> dated 16 January 1961, was published in 10,000 copies in English and 20,000 copies in the Hausa language and distributed in the Territory. The explanations on the plebiscite alternatives provided by the two interested Governments were set out in the two inner sides of the four-page document, the left side containing the explanation of the choice for joining the Republic of Cameroun and the right-hand side containing the explanation of the choice for joining the Federation of Nigeria. With a view to discourage the mutilation of the document by persons interested in cutting out the explanations of either choice, the Administrator had the last part of the explanation concerning the choice for the Republic of Cameroun printed in the back of the side containing the explanation of the choice for the Federation of Nigeria. In this way any mutilation of one text would necessarily affect the other.

95. In explanation of the alternative favouring joining the Republic of Cameroun, it was stated that "the basis of unification will be freely negotiated immediately after the plebiscite and may be either: (a) federation as agreed for the Southern Cameroons, or (b) provincial autonomy with an administration depending on the Central Government of the Federal Republic, or (c) administrative unification in the form of collective regional or provincial authorities within the framework of the present constitution of the Republic of Cameroun." The document further indicated that the procedure for constitutional modification at present in force in the Republic of Cameroun would be put into effect when the

<sup>14</sup> See annex XXV.

time came in order that unification should be realized, and it quoted the joint communiqué issued by the President and the Prime Minister of the Republic and the Premier of the Southern Cameroons after their meeting of 10-13 October 1960.

96. In explanation of the alternative favouring joining the Federation of Nigeria, the document quoted the following statement made by the Government of the Federation of Nigeria:

"If the Northern Cameroons joins Nigeria, it will form part of the Northern Region with the new Divisional and Local Government arrangements introduced on the 1st April 1960.

"On the 1st April 1960, the new and independent Native Authorities of Mubi, Chamba, Ghashaka-Mambilla, Gwoza and United Hills were formed from parts of the Trust Territory formerly administered as part of Adamawa, Bornu and Benue provinces. The Dikwa Native Authority of course continued as an independent Native Authority.

"On the 1st July 1960 by Legal Notice No. 81 in the Gazette of the Northern Region of Nigeria a new province was created to include the Northern Trust Territory divided into Native Authorities as set out above. The objects of the creation of this new province were to guarantee the status of the new Native Authorities and to remove any fear which they might have that in future they would be made subordinate to any other Native Authority from outside the new province.

"The Governments of the Federation of Nigeria and of the Northern Region of Nigeria both confirm the undertaking given at the London Constitutional

discussions set out above. The Government of the Northern Region of Nigeria has also declared that the area will continue to be administered as a separate province of the Northern Region . . ."

97. Unfortunately, the printing and distribution of this document came too late to be of any real use in the Northern Cameroons. This is explained in the section devoted to the second enlightenment campaign in the Northern Cameroons (see para. 390 below).

#### D. CONCLUDING REMARKS

98. I have endeavoured in this section to report as fully as possible on the efforts made to seek clarification of the alternatives put to the people in both plebiscites. From the very outset of my task it had been my view that an early clarification of the issues involved in the plebiscites was an indispensable prerequisite to enable the people of both sections of the Territory to acquaint themselves fully and accurately with the choices before them. Some of the difficulties encountered in obtaining the clarification of the alternatives would have been considerably lessened, I believe, if a way had been found to request the Governments concerned to advise the United Nations, sufficiently in advance, of the conditions under which either or both parts of the Cameroons might be expected to join them. This course of action would have given the United Nations an opportunity to examine the implications of the alternatives in detail and to determine whether they provided an adequate basis for the enlightenment of the people prior to the plebiscites. At the same time, it would have enabled the United Nations to take appropriate measures to seek further elucidation, if such was required.

### PART ONE. THE PLEBISCITE IN THE SOUTHERN CAMEROONS

#### Chapter I

#### Preliminary arrangements made by the Administering Authority

##### A. DIVISION OF THE TERRITORY INTO PLEBISCITE DISTRICTS AND REGISTRATION AREAS

99. Article 3(1) of the Southern Cameroons Plebiscite Order in Council, 1960, provided that the Southern Cameroons should be divided into plebiscite

districts. In accordance with this provision, the Southern Cameroons was divided into twenty-six plebiscite districts which, I was informed by the Plebiscite Administrator, corresponded to the electoral constituencies for the Southern Cameroons House of Assembly. He had recommended such a division because the people of the Territory were already well acquainted with these existing units, each of which could, except in the case of Mamfe North, be effectively supervised by one Plebiscite Supervisory Officer. Accordingly, the following plebiscite districts were established:

<i>Plebiscite district</i>	<i>Description of area</i>	<i>Corresponding administrative division</i>
1. Victoria South West . . . . .	Bakolle Clan, Bambuka, Bota, Bimbila and Victoria Village Groups	Victoria
2. Victoria South East . . . . .	Mungo Clan and Tiko Village Group	
3. Victoria North West . . . . .	Buea, Bonjongo and Mutengene Village Groups	
4. Victoria North East . . . . .	Balong Clan and Muea and Lysoko Village Groups	
5. Kumba North East . . . . .	Eastern Area, Bassossi Group and Bafaw-Balong Group	Kumba
6. Kumba North West . . . . .	Northern Bakundu Clan, North-Western Area and Balue Clan	
7. Kumba South East . . . . .	Mbonge Group, Southern Area and Kumba Town	
8. Kumba South West . . . . .	South-Western Area, Isangele Group, Bambuko Clan and Bai Dieka Group	

<i>Plebiscite district</i>	<i>Description of area</i>	<i>Corresponding administrative division</i>
9. Mamfe West .....	Mamfe Town and Kembong	Mamfe
10. Mamfe North .....	Overside (Assumbo, Mbulu, Memka, Widekum, Takamanda)	
11. Mamfe South .....	Banyang-Mbo	
12. Mamfe East .....	Bangwa-Mundani	
13. Bamenda North .....	Nsaw Clan Area	Bamenda
14. Bamenda East .....	Ndop Clan Area	
15. Bamenda Central West .....	Bafut Clan Area	
16. Bamenda Central East .....	Ngemba Clan Area	
17. Bamenda West .....	Menemo, Ngie and Ngwaw Clan Areas	Bamenda
18. Bamenda South .....	Area of Bani Native Authority and Moghamo Clan	
19. Wum North .....	Fungom Clan Area	
20. Wum Central .....	Aghem and Bum Clan Areas	
21. Wum East .....	Kom Clan Area	Wum
22. Wum West .....	Beba Befang and Essimbi Clan Areas	
23. Nkambe North .....	All villages in the Misaje and Mbembe Group Areas	
24. Nkambe East .....	All villages in the Kaka, Mbaw and Mfumte Group Areas	
25. Nkambe Central .....	Tabenken, Binka, Tala, Bi, Kup, Onchep, Saa, Kungi, Binshua, Njap, Mbwat, Nkambe, Chup	Nkambe
26. Nkambe South .....	Ndu Village Group, Ngulla, Lu, Ngaurum, Taku, Sinna, Wat, Mba, Nsop, Ntumbaw, Ntundip	

100. Regulation 3 of the Southern Cameroons Plebiscite (Registration) Regulations provided that, subject to any general or specific directions which the Plebiscite Administrator might give from time to time, a Registration Officer should divide any plebiscite district in respect of which he was to exercise his functions into such registration areas as he deemed necessary. Accordingly, the Registration Officers divided the respective plebiscite districts into registration areas, totalling 294 for the whole of the Southern Cameroons, as follows:

<i>Plebiscite district</i>	<i>Number of registration areas</i>
Victoria South West .....	7
Victoria South East .....	5
Victoria North West .....	10
Victoria North East .....	17
Kumba North East .....	18
Kumba North West .....	16
Kumba South East .....	9
Kumba South West .....	10
Mamfe West .....	23
Mamfe North .....	35
Mamfe South .....	19
Mamfe East .....	21
Bamenda North .....	8
Bamenda East .....	7
Bamenda Central West .....	10
Bamenda Central East .....	8
Bamenda West .....	12
Bamenda South .....	12
Wum North .....	3
Wum Central .....	20
Wum East .....	6
Wum West .....	2
Nkambe North .....	3
Nkambe East .....	8
Nkambe Central .....	2
Nkambe South .....	2

#### B. STAFF OF THE UNITED KINGDOM PLEBISCITE ADMINISTRATION

101. *Plebiscite Administrator.* The plebiscite was conducted by the Plebiscite Administrator, Mr. Hubert Childs, C.M.G., O.B.E., who was appointed in accordance with the provisions of the Order in Council, Article 6(1) and (2), which provided that "There shall be a Plebiscite Administrator who shall, subject to any directions given by the Commissioner of the Southern Cameroons under paragraph (1) of Article 8 of this Order, be responsible for the conduct and organization of the Plebiscite. The Plebiscite Administrator shall be appointed by the Commissioner of the Southern Cameroons in pursuance of instructions given by Her Majesty through a Secretary of State: Provided that no person shall be appointed who is a native of the Southern Cameroons or who is in the service of the Crown in respect of the Government of the Southern Cameroons or of the Northern Cameroons or of Nigeria or of a Region of Nigeria or who is in the service of the Government of the Republic of the Cameroons".

102. Article 8(1) of the Order in Council provided that "the Commissioner of the Southern Cameroons may give the Plebiscite Administrator such directions with respect to the exercise of his functions under this Order or any regulations made thereunder as he may consider desirable; and the Plebiscite Administrator shall comply with those directions or shall cause them to be complied with". By Article 10 of the Order in Council, the Plebiscite Administrator was required in the exercise of his functions to "consult wherever practicable and expedient with the United Nations Plebiscite Commissioner and the other persons appointed to assist him in observing the plebiscite on behalf of the United Nations".

103. The appointment of Mr. Childs as Plebiscite Administrator, which took effect from 1 October 1960, was published in Southern Cameroons Notice No. 310 in Gazette No. 50 of 22 October 1960. Mr. Hubert Childs had previously had a distinguished career in the Colonial Service, having served in the Nigerian Administrative Service from 1928 to 1946 and thereafter having served in Sierra Leone where he was appointed Chief Commissioner of the Protectorate in 1949.

104. *Deputy Plebiscite Administrator.* In accordance with the provisions of Article 6(3) of the Order in Council, Mr. J. Dixon was appointed as Deputy Plebiscite Administrator with effect from 1 October 1960. Mr. Dixon had served in the Nigerian Administrative Service from 1930 to 1942, in the Sierra Leone Administrative Service from 1942 to 1946, and in the Gold Coast (Ghana) Administrative Service from 1946 to 1958 from which he retired as Permanent Secretary. During his service in the Nigerian Administration he spent eight years in the Southern Cameroons. In 1956 he was associated with the plebiscite in the Trust Territory of Togoland under British administration. As Plebiscite Liaison Officer he had been concerned with the planning of the Southern Cameroons Plebiscite since July 1959.

105. *Assistant Plebiscite Administrators.* In accordance with the provisions of Article 6(3) of the Order in Council five Assistant Plebiscite Administrators were appointed with effect from 1 October 1959. Of these, one was posted at headquarters in charge of finance and supply; the other four were posted at Victoria, Mamfe, Bamenda and Wum, in charge of field operations in the plebiscite districts of the Victoria/Kumba, Mamfe, Bamenda and Wum/Nkambe Divisions respectively. Mr. R. B. Allen, O.B.E., who was in charge of finance and supply services, had previously served in the Royal Navy from 1930 to 1944 and in the Federal Printing Department of the Federation of Nigeria from 1948 to 1960. He had been closely associated with the Federal Elections in Nigeria in 1959. He had retired as Government Printer in charge of the Department in 1960. Mr. P. L. Allpress, Assistant Plebiscite Administrator for Victoria and Kumba, had seen Army service during World War II and had served in various administrative positions in the Government of the Eastern Region of Nigeria between 1942 and 1959. He left the Eastern Region Service with the rank of Permanent Secretary, which he had held since 1958. Mr. C. S. Grisman, M.B.E., Assistant Plebiscite Administrator for Mamfe, had been an administrative officer in Eritrea and in Eastern Nigeria between 1947 and 1957, and had served in the British Army during World War II in Africa, India and Burma. Mr. A. R. P. P. K. Cameron, Assistant Plebiscite Administrator for Bamenda, was a barrister-at-law, Inner Temple, had served in the British Army during World War II and had been an administrative officer in the Western Pacific and the Gold Coast (Ghana) from 1946 to 1952. Mr. J. D. Tallantire, Assistant Plebiscite Administrator for Wum and Nkambe, had served with the respective Departments of Agriculture in Nigeria from 1935 to 1938, in Gambia from 1938 to 1943, in Nigeria from 1943 to 1954, and in the Southern Cameroons from 1954 to 1958, from which he retired in 1958 as Director of Agriculture.

106. The Assistant Plebiscite Administrators had been selected by the Colonial Office in London from among candidates with wide experience in overseas territories.

107. *Plebiscite Supervisory Officers.* Twenty-six Plebiscite Supervisory Officers were appointed to conduct the plebiscite in the twenty-six plebiscite districts. As stated in paragraph 99 above, two of these were posted to plebiscite district Mamfe North which, owing to its size and inaccessibility required the services of two officials to provide necessary coverage. On the other hand, one Plebiscite Supervisory Officer was appointed to take charge of two plebiscite districts, namely, Victoria South-West and Victoria North-West. With one exception, all the Plebiscite Supervisory Officers were graduates of universities in the United Kingdom and the majority of them had done National Service in the United Kingdom Armed Forces.

108. The Plebiscite Supervisory Officers were interviewed in London by a selection board consisting of an independent chairman, the Plebiscite Administrator and Deputy Plebiscite Administrators of the Northern and Southern Cameroons, and representatives of the Colonial Office. The Plebiscite Supervisory Officers served as Registration Officers during the period of registration of voters, as Revising Officers during the period set aside for the revision of the preliminary lists, and were known as Returning Officers during the later stages of the plebiscite when they trained the polling staff and subsequently supervised all arrangements preparatory to and during the actual polling and counting of ballots.

109. The following is a summary showing staff participation and functions in the organization and conduct of the plebiscite under the general direction of the Southern Cameroons Plebiscite Administrator.

#### *Headquarters Staff, Buea*

Deputy Plebiscite Administrator (HQ Buea) .....	1
Assistant Plebiscite Administrator (Finance and Supply) (HQ Buea) .....	1

#### *Field Staff*

Assistant Plebiscite Administrators for Kumba—Victoria, Mamfe, Bamenda and Wum—Nkambe (expatriate officials recruited in the United Kingdom especially for the plebiscite) .....	4
Plebiscite Supervisory Officers (expatriate officials recruited in the United Kingdom especially for the plebiscite) .....	26
Assistant Registration Officers (recruited locally from among teachers, students, clerks, etc.) .....	568
Presiding and Polling Officers (recruited locally from among teachers, students, clerks, etc.) .....	1813
Polling Marshals (recruited locally from among village heads, pensioners, etc.) .....	2014
Assistant Returning Officers (combined duties with counting of ballots; recruited from among missionaries, businessmen, wives of officials and Departmental Officers) .....	110

#### C. TIME-TABLE FOR THE PLEBISCITE

110. The following was the original time-table for the plebiscite in the Southern Cameroons, concerning which details had been submitted to me earlier in 1960:

<i>Time-table</i>	<i>Days</i>	<i>Event</i>
<i>1960</i>		
1-15 Oct. ....	15	First public enlightenment campaign Registration staff move to briefing centres
16-19 Oct. ....	4	Briefing of registration staff
20-25 Oct. ....	6	Registration staff move to registration areas
26 Oct.-22 Nov. ....	28	Registration
23 Nov.-27 Dec. ....	35	Preparation and publication of preliminary list Second public enlightenment campaign Siting of polling stations
28 Dec.-11 Jan. ....	15	Submission of claims and objections
12-26 Jan. ....	15	Determination of claims and objections Polling staff move to briefing centres
27 Jan.-10 Feb. ....	15	Preparation and publication of final register Briefing of polling staff Polling staff move to polling stations
<i>1961</i>		
11 Feb. ....	1	Polling day
21 Feb. ....		Last day for lodging petitions

111. Following the Conference held during November 1960 in London between leaders of the principal Southern Cameroons political parties and the Secretary of State for the Colonies (see paras. 68 to 70 above), it became apparent that the second public enlightenment campaign, planned for November-December 1960, would have to be deferred until January 1961, since it would be impossible to complete adequate preparations in time. The enlightenment campaigns were designed to inform the people, in accordance with Trusteeship Council resolution 2013 (XXVI), of the constitutional arrangements that would have to be made, at the appropriate time, for the implementation of the decisions at the plebiscites. The time-table was consequently adjusted by telescoping the period originally set aside for the preparation and publication of the preliminary list and the time required for the typing of the list was greatly reduced by the establishment of a typing pool at Buea which was able to complete approximately half of the total typing in twelve days. The preliminary list for each plebiscite district was published as soon as it was ready, and with the exception of two inaccessible districts in Mamfe, the list was published everywhere prior to 15 December 1960, thus making it possible to advance by nearly two weeks the period set aside for the determination of claims and objections.

112. As soon as the booklet entitled *The Two Alternatives*<sup>15</sup> was ready and distributed to the Plebiscite Supervisory Officers the second public enlightenment campaign was begun and it started in some districts as early as 10 January 1961. The campaign was concluded at the end of January 1961.

113. The siting of polling stations and the second public enlightenment campaign took place simultaneously, and briefing of polling staff was conducted in the various plebiscite districts between late January and early February 1961.

## Chapter II

### Communications in the Southern Cameroons

114. Communication facilities in the Southern Cameroons were, by and large, better than those existing in the Northern Cameroons. The paved trunk road linking Victoria, Buea and Kumba is without doubt

the best in the Territory. Beyond Kumba an unpaved trunk road continues to Mamfe and Bamenda and forms beyond this point a "ring road" system, laid out in a huge loop connecting the divisional centres of Wum and Nkambe and the remainder of the Territory. On the Bamenda plateau itself, feeder roads of varying quality provide access to some of the remoter areas. The weakest link in the Victoria-Bamenda road is the portion between Kumba and Mamfe which, though only 120 miles in length, normally requires seven hours to travel. Owing to the fact that the road north of Kumba is narrow and winding, its use has been restricted to alternate days running north and south respectively. Although classed as all-season, trunk roads in the areas north of Kumba town were frequently out of use during the rainy season and required constant repairs. Nevertheless, Observers reached their stations without undue delay and regular weekly couriers provided services between my Buea headquarters and the various observer posts. A fleet of twelve Landrover was utilized by the United Nations staff in the Southern Cameroons.

115. Although roads linked the main divisional centres of the Southern Cameroons, it should be recalled that a vast area unconnected by vehicular roads had to be visited by the Observers during the various stages of the plebiscite. To do so they were required to cover long and arduous stretches of terrain, difficult of access, making it necessary to go on "treks" lasting up to ten days at a time. In this respect, particular problems were encountered by the Observers and Administration Plebiscite staff in the Mamfe and Kumba plebiscite districts where, in addition to the difficult terrain, climatic conditions, thick vegetation and frequently unfordable rivers posed not inconsiderable obstacles to their work.

116. Telephone and telegraph communications within the Southern Cameroons were available to me almost from the outset. Radio transmitters had been set up by the Battalion of the King's Own Royal Border Regiment in Kumba, Bamenda, Jakiri, Belo, Nkambe and Wum. In addition to these facilities, wireless contacts could be made through existing police signals between Buea, Victoria, Kumba and Bamenda, which were supplemented by the regular telephone connexions in the limited area between Buea, Tiko and Victoria. Observers in Kumba and Victoria also had access to

<sup>15</sup> See annex XIV.

the private short-wave network belonging to the Cameroons Development Corporation.

117. Whenever necessary, Observer Stations in Mamfe, Bamenda and Wum could also be reached by small charter aircraft which were capable of landing on airstrips in or near these localities.

### Chapter III

#### Separation of the Administration of the Southern Cameroons from that of the Federation of Nigeria

118. By resolution 1352 (XIV), the General Assembly recommended, *inter alia*, that the Administering Authority, in consultation with the Government of the Southern Cameroons, take steps to implement the separation of the administration of the Southern Cameroons from that of the Federation of Nigeria. In line with this recommendation, the Administering Authority submitted a report<sup>18</sup> to the Trusteeship Council at its twenty-sixth session, in which it outlined the measures contemplated to this end.

119. Although General Assembly resolution 1352 (XIV) did not make it incumbent upon me to supervise the implementation of this particular provision, I deemed it appropriate to seek information from the Commissioner of the Southern Cameroons concerning the practical application of the measures outlined by the Administering Authority in its report to the Trusteeship Council, since I wished to obtain information concerning the practical arrangements that had been made which might have a bearing on the plebiscite. On the basis of the information made available to me, I merely wish to outline the arrangements that are now in operation without making any evaluation concerning their effectiveness, as I believe this to be a matter falling properly within the purview of the Trusteeship Council and of the General Assembly.

120. The constitution of the Southern Cameroons is now provided for in the Southern Cameroons (Constitution) Order in Council, 1960. The effect of this Order has been to leave the existing powers and functions of the Southern Cameroons Government unaltered but to transfer to the Commissioner of the Southern Cameroons the powers and functions formerly exercised by the Governor-General and the Government of the Federation. This Order revoked the Nigeria (Constitution) Orders in Council, 1954 to 1960, in so far as they applied to the Southern Cameroons. The Commissioner is now directly responsible to the Secretary of State for the Colonies in London, and neither the Governor-General nor the Government of Nigeria now exercise jurisdiction in the Southern Cameroons.

121. At the head of the Government of the Southern Cameroons is the Commissioner of the Southern Cameroons. He has been appointed under Her Majesty's sign manual and signet and holds office during Her Majesty's pleasure.

122. There are two methods of enacting legislation in the Southern Cameroons. In respect of any matter regarding which the legislature of the Federation of Nigeria had power before 1 October 1960, and not being matters regarding which the legislature of the Southern Cameroons also had power to make laws, the

Commissioner, acting in his discretion, has power to make laws by proclamation. The Commissioner, therefore, has power to legislate by proclamation in respect of matters which, before 1 October 1960, were contained in the Exclusive Legislative List, appearing as Part I of the First Schedule (Legislative List) to the Nigeria (Constitution) Order in Council, 1954. The principal subjects include aviation and meteorology, external borrowing, currency and coinage, exchange control, control of capital issues, copyright, customs and excise, including export duties, defence and police, certain higher educational institutions, external affairs, external trade, immigration and emigration, incorporation and regulation of companies, insurance, shipping and navigation, mines and minerals, including oil and natural gas, naval, military and air forces, nuclear energy, patents and trademarks, posts, telegraphs and telephones, railways, trunk roads, company taxes and sales taxes, and wireless broadcasting and television.

123. In respect of all other matters legislation is enacted by the House of Assembly. Bills which are to be considered by the House of Assembly may be referred to the House of Chiefs by the Commissioner. Any such Bill is then considered and discussed by the House of Chiefs, whose resolutions are then submitted to the Commissioner, who causes them to be laid before the House of Assembly. The House of Chiefs may not discuss any Bill that in the opinion of the Commissioner contains provisions dealing only with financial matters, e.g., the imposition of taxation, the raising of any loan.

124. The House of Assembly is the same House of Assembly which was elected in January 1959. It is, as noted above, empowered to legislate on all matters not contained in the Exclusive Legislative List. These residual subjects include primary and secondary education, agriculture, forestry, veterinary services, co-operatives, local government, land, medical services, administration of justice, and roads other than federal trunk roads.

125. The day to day government of the Southern Cameroons continues to be carried out by certain Ministers of Government. The Premier was in office before 1 October 1960, and has continued in office, having been appointed by the Commissioner, acting in his discretion, as being the person most likely to command a majority among the members of the House of Assembly. There is an Executive Council for the Southern Cameroons composed of three official members—the Deputy Commissioner, the Attorney-General and the Financial Secretary—and the Ministers of the Government. The Ministers of the Government are all elected members of the House of Assembly. The Commissioner, acting in his discretion, has assigned to particular members responsibility for the business of the Government of the Southern Cameroons including the administration of certain departments of Government. The members of the Executive Council are as follows:

The Commissioner of the Southern Cameroons  
(President of the Executive Council)

The Deputy Commissioner of the Southern Cameroons

The Attorney-General

The Financial Secretary

The Premier (who is also Minister of Local Government)

Minister of Commerce and Industries

Minister of Social Services

Minister of Natural Resources

Minister of Works and Transport

<sup>18</sup> Official Records of the Trusteeship Council, Twenty-sixth Session, Annexes, agenda item 3, document T/1526.

Minister of Co-operatives and Community Development

Minister of State (without portfolio)

126. The Commissioner's powers under the various laws in force in the Southern Cameroons are exercised subject to any instructions which may be given to him by Her Majesty through the Secretary of State for the Colonies. He is obliged to seek the advice of the Executive Council on any matter in respect of which legislation can be enacted by the House of Assembly. In practice, the Commissioner seeks the views of the Executive Council on many matters concerning which he is not obliged to consult the Executive Council. From a practical point of view there are few decisions taken by the Commissioner without prior consultation with the various members of the Executive Council.

127. The Constitution Order in Council set up a High Court of the Southern Cameroons presided over by a resident Judge appointed by the Commissioner in pursuance of instructions given by Her Majesty through the Secretary of State for the Colonies. Appeals from the High Court are heard by the Supreme Court of the Federation of Nigeria. From that Court there is the usual right of appeal to Her Majesty the Queen through the Judicial Committee of the Privy Council. An Advisory Council on the Prerogative of Mercy assists the Commissioner in the exercise of clemency in Her Majesty's name in respect of persons condemned to death.

128. The former "regional" services of the Southern Cameroons Government were staffed by members of the Southern Cameroons Public Service and members (Nigerian and British) of the Nigerian Federal Public Service who were compulsorily seconded to the Southern Cameroons up to 30 September 1960. The Government of the Federation agreed that those Federal Service officers who wished to continue serving in the Territory after separation would be permitted to remain there on voluntary secondment. The majority of the Nigerian officers elected to return to Nigeria, while all but one or two of the British officers volunteered to remain in the Southern Cameroons. The gaps have been substantially filled by the promotion of Cameroonians and the recruitment of essential officers from overseas and it has thus been possible to maintain these services without any appreciable contraction or loss of efficiency.

129. The former "Federal" services are, by the Agency Agreement between the Administering Authority and the Federal Government of Nigeria, carried on by departments of the Federal Government who in this respect act as the agents of the Commissioner. In all matters of policy and major executive action these services are under the control of the Commissioner and are not in any respect subject to the direction of any Minister or official of the Government of Nigeria. All revenue collected by these services accrues to the Southern Cameroons Government and costs involved are fully reimbursed to the Nigerian Government.

130. Prior to the separation of the Southern Cameroons from Nigeria, the Government of the Territory received an allocation of revenues on the same basis as the other Regions of Nigeria. The revenue allocation system provided for the payment to the Regional Governments of the Federation of:

(a) The full amount of all export duties on produce (in the Southern Cameroons cocoa, bananas, palm produce, rubber, timber);

(b) The whole of the proceeds of import duties and excise duties on tobacco distributed on a basis of consumption;

(c) The whole of the import duties on motor spirit and diesel fuel on a basis of consumption;

(d) The whole of the receipts from personal income tax on a basis of derivation;

(e) Part of the funds in a distributable pool which was established consisting of 30% of general import revenue (i.e. all import duties except those on motor spirit, diesel fuel, tobacco and liquor) and 30% of the revenue from mining and mineral royalties and rents. Of this pool the Southern Cameroons received 5%.

The Nigerian Federal Government retained the revenue from import duties on liquor, from company tax and from duties on general imports apart from that distributed in the pool just described. The Federal Government also, of course, retained all revenue from fees and charges imposed by the Federal Services, e.g., Posts and Telegraphs, Police, Civil Aviation, Prisons, etc.

131. After separation the Southern Cameroons Government became directly responsible for the payment of the cost of the former Federal Services and as a corollary receives direct payment of all taxes, fees and charges collected by those services. On the revenue side, the Southern Cameroons now receives *all* export and import duties (including import duties on liquor and general imports) actually collected by the Customs but no longer receives a share of the distributable pool nor any excise duties on tobacco. Import duties on tobacco have, however, been raised to compensate for the loss of excise duties. In addition, the Southern Cameroons Government receives payment of all company tax attributable to the Territory. Personal income tax continues to be received by this Government. Other fees and charges consist mainly of Posts and Telegraphs revenue and receipts from prisons earnings, aerodrome fees and ports dues and fees. The net increase in revenue arising from these charges is estimated in a full year at approximately £260,000. The Agency Services consist of the following: Civil Aviation, Customs, Geological Survey, Meteorology, Police, Posts and Telegraphs, Labour and Prisons. Certain other services are also made available to the Southern Cameroons by the Nigerian Government on request. These include the Coastal Agency, Information, Printing, Research, Training and Statistics Services. In addition, the full cost of the operations of the Nigerian Ports Authority in the Southern Cameroons is charged to the Southern Cameroons Government. These operations are continued under agreement with the Nigerian Ports Authority. The total expenditure on the Federal Agency Services is estimated in a full year at approximately £735,000.

132. Customs Posts have been established on the Southern Cameroons/Nigerian border and import and export duties are collected there by the Nigerian Customs acting as agents for the Southern Cameroons.

133. The Southern Cameroons continues to use Nigerian currency by agreement with the Federal Government and the exchange control regulations operative before separation remain in force, the exchange control authority being the Ministry of Finance, Lagos.

134. After separation, the Southern Cameroons Government issued its own postage stamps which were Nigerian stamps overprinted with the words "Cameroons U.K.T.T.". All denominations are overprinted (from ½d. to £1) and approximately one and a half

million stamps of all denominations have so far been printed. The Nigerian stamps being overprinted are those which were in circulation prior to the independence of the Federation as from 1 October 1960. All receipts from the sale of postage stamps in the Territory and through the Crown Agents for Overseas Governments are paid to the Southern Cameroons Government.

135. The Southern Cameroons Order in Council, 1960, provided that laws in force on 30 September 1960 should continue in force thereafter. Power was given to the Commissioner, acting in his discretion, to make such amendments and adaptations to the Law as appeared to him to be necessary and expedient, to enable the new Constitution to function. This power has been exercised as occasion demanded. Power was also given to him to amend any existing law to give effect to any agreement made before 1 October for the purpose of facilitating the administration of the Southern Cameroons. One example of what has been done in this respect is that before 1 October 1960, legal process of any court in the Federation could be sent to any other court for execution. Adaptation orders have, therefore, been made by the Commissioner of the Southern Cameroons and by the Government of the Federation of Nigeria to ensure that this state of affairs continues for the time being. The Order in Council also provided that persons in office before 1 October 1960 should continue in office thereafter.

136. Matters relating to security and police forces are dealt with in the following chapter.

#### *Chapter IV*

#### **Security and police forces in the Southern Cameroons**

137. Following the 1959 plebiscite in the Northern Cameroons, and before returning to New York to present my report on its outcome to the General Assembly, I paid a visit to Buea in the Southern Cameroons where, on 11 November 1959, I discussed with the Commissioner of the Southern Cameroons certain aspects of the forthcoming plebiscite in the southern part of the Territory. In the course of our conversations, I stated that if in the unlikely event of a security situation arising during the plebiscite it became necessary to use police or military forces in addition to those available in the Southern Cameroons, the employment of Nigerian army and police units would not be desirable. For, in my view, it was essential, both from the point of view of the Administering Authority and of the United Nations, to avoid taking measures which might, by virtue of the introduction of such troops and police, in themselves be construed as being prejudicial to a fair and impartial conduct of the plebiscite. On the other hand, I saw no objection to the deployment of troops from the United Kingdom, if such was necessary.

138. Again, on 4 January 1960, I discussed this subject during my consultations with members of the Colonial Office in London and stated that in case it became necessary to call in additional security forces, objections could be raised by the United Nations if Nigerian army and police units were to be used to restore order. At the same time, I was advised that it was the intention of Her Majesty's Government to split off a part of the Nigeria police and to place it under the control of the Commissioner of the Southern Cameroons with its own Commander for the interim period,

and that this force would be composed for the most part of Cameroonians. As for the employment of army units, I was told that sympathetic consideration would be given to my objections to the use of Nigerian troops to reinforce the police. On 13 July 1960, I was informed by the United Kingdom Mission to the United Nations that arrangements were being made to station British troops temporarily in the Southern Cameroons, pending settlement of the future of the Trust Territory in the light of the plebiscite. Reference was made at the same time to an announcement by Her Majesty's Government in May 1960 that the Nigerian troops which were then stationed in the Southern Cameroons would be withdrawn before 1 October 1960, and that the United Kingdom troops replacing them would be supported by a small detachment of the Royal Air Force. They were expected to relieve the Battalion of the Queen's Own Nigeria Regiment on 27 September 1960.

139. Upon my arrival in the Territory, the Commissioner of the Southern Cameroons confirmed that United Kingdom troops had in fact arrived in the Southern Cameroons. These troops consisted of the First Battalion, King's Own Royal Border Regiment, supported by elements of the Royal Engineers, the Royal Army Medical Corps, the Royal Signals and the Royal Army Service Corps. In addition a detachment of the 230th Squadron, Royal Air Force, had been despatched to the Southern Cameroons. The entire Force was known as the King's Own Royal Border Group, and the Commanding Officer of the First Battalion, King's Own Royal Border Regiment, was also Force Commander and as such was responsible to, and acted under, the general direction of the Commissioner of the Southern Cameroons. I was informed that the Group was to assist the civil authorities in the preservation of law, order and public morale, and to act as a deterrent against terrorism and other subversive activities. Two Companies were stationed in Bamenda and another one at Kumba; smaller detachments served in other parts of the Southern Cameroons. The Royal Air Force detachment was stationed in Mamfe. I was further advised that responsibility for the preservation of law and order in respect of all phases of the plebiscite fell on the police, and not on the military forces. Only in the event of a grave emergency would the military forces be assigned a specific role in support of the police.

140. I would also like to recall that during the discussions concerning the future of the Territory in the Trusteeship Council at its twenty-sixth session, reference was made by Members of the Trusteeship Council to the desirability of having the police forces stationed in the Southern Cameroons made solely responsible to the United Kingdom authorities, and that by its resolution 2013 (XXVI), operative paragraph 1, the Council had, *inter alia*, requested the Administering Authority "to take into account the observations and suggestions made at the twenty-sixth session of the Trusteeship Council in completing the separation of the administration of the two parts of the Trust Territory from that of the Federation of Nigeria not later than 1 October 1960, ensuring in particular the existence, from that date until the completion of the plebiscites in the Trust Territory, of police forces wholly responsible to the authorities in the Territory". During the same session, the representative of the Administering Authority had stated that the Commissioner of the Southern Cameroons would be directly and solely responsible to the Administering Authority for the preservation of law

and order and that the use and operational control of the police would be vested in him constitutionally. The Commissioner would exercise his responsibility through a police force under the command of the Commissioner of Police of the Southern Cameroons, who would not be answerable to the Inspector-General of the Federal Nigerian Police Force.

141. Following my arrival in the Territory, I was informed that the Southern Cameroons Police Force consisted of twenty officers and 542 rank and file whose number, it was planned, would be increased to 592 by 1 December 1960. All, except eleven senior British officers, were Cameroonians. The Commissioner of Police was, by virtue of section 88 of the Southern Cameroons (Constitution) Order in Council, 1960, directly responsible to the Commissioner of the Southern Cameroons. It may be of interest to note that, on 3 November 1960, the Commissioner of Police for the Southern Cameroons issued an instruction to all ranks of the Southern Cameroons Police Force advising them that the plebiscite due to take place in February 1961 was a matter of grave importance for the Southern Cameroons and that it was only natural that policemen should take a keen interest in the future of their country. But, he stated, as policemen their first duty was the maintenance of law and order and for this purpose it was necessary not only that the police should be impartial, but that they should give no indication by word or deed that any of them favoured one question or the other. The directive advised them that when they were off-duty in plain clothes there was no reason why they should not discuss the plebiscite among themselves and with their families, but that they should avoid any such discussion in public and especially when they were on duty and in uniform. The Commissioner of Police further noted that there had been no complaints by any political party of partiality on the part of the police following the elections in January. I am glad to report that throughout the period of my stay in the Territory I had reason to believe that the members of the British Army and of the Southern Cameroons Police Force maintained an attitude of impartiality towards the plebiscite.

### *Chapter V*

#### **Pre-registration public enlightenment campaign**

142. During the middle of September 1960, I was advised that it was the Plebiscite Administrator's intention to conduct a public enlightenment campaign which was scheduled to take place between 1 and 15 October 1960, just prior to the start of registration on 26 October. The object of the enlightenment campaign was to explain to the people the nature, conduct and purpose of the plebiscite; the choices that would be put before the voters; the qualifications for voting; the mechanics of registration, and the procedures for making claims and objections.

143. As the campaign was expected to begin more than two weeks before the scheduled arrival in the Southern Cameroons of United Nations Observers, I was most anxious to see that this very important phase of the plebiscite should be covered as thoroughly as possible. For this reason, I decided to send Mr. John Miles, one of the Observers designated to serve in Bamenda, ahead of the main body of Observers to the Southern Cameroons and to entrust him with the additional task of observing the conduct of the public enlightenment campaign in as many plebiscite districts

as possible. He arrived in Buea on 30 September and witnessed this phase of the plebiscite in the most populous areas of each Division in the Southern Cameroons.

144. Before his arrival, however, it had become apparent that the two weeks set aside for the conduct of the campaign would not suffice, in view of the fact that the prevailing heavy rains and difficulties of negotiating many areas on foot or by motor transport would place severe limitations on the movement of the plebiscite staff engaged in the campaign. If, therefore, the planned publicity was to reach a maximum number of people, the date of the opening of the enlightenment campaign would have to be advanced by several weeks. For these reasons, the campaign was actually begun on 12 September and was conducted in the respective twenty-six plebiscite districts over varying periods until 18 October 1960. The Plebiscite Supervisory Officers, who were largely responsible for conducting the campaign, had been instructed to base their lectures entirely on the contents of the instructions prepared by the Plebiscite Administration and to avoid any discussion of the issues involved in the plebiscite. During the campaign the Plebiscite Supervisory Officers covered each plebiscite district, moved from village to village, gave explanations to the people in public meetings and answered their questions. Loudspeaker vans were used in the more accessible areas and proved to be most useful in collecting large crowds and for addressing large gatherings, particularly in such areas as Victoria and Kumba. In addition to explanations given by word of mouth, a total of 50,000 pamphlets setting forth the purpose of the plebiscite, voting qualifications and the mechanics of registration were distributed, and 25,000 posters were displayed throughout the Territory. The demand for these pamphlets in the Kumba and Victoria plebiscite districts was so great that the Plebiscite Administrator issued an additional 50,000.

145. The pamphlets and posters, whose contents had previously been discussed with and endorsed by the leaders of the main political parties, were printed in simple English. In view of the multiplicity of languages and dialects in the Southern Cameroons, only two of which have been reduced to writing, it was decided not to use any of the vernaculars in printed material. Instead, the verbal explanations given in simple English were interpreted into the local vernacular by official interpreters.

146. Each public meeting was announced beforehand, either by public notice setting out the times and places of meetings in each registration area over a period of days or a week, or, wherever this did not prove practicable, by messengers.

147. The United Nations Observer reported to me that all the meetings at which he had been present had been well attended and that audiences had shown keen interest in them. Questions put at the end of the public lectures related mainly to qualifications for voting, but occasionally questions were put concerning the merits of the two questions in the plebiscite and frequently grievances were presented to the Plebiscite Supervisory Officers concerning the absence of a third question, namely, did the people of the Territory wish to achieve outright independence. At all times, he reported, these officials refused to discuss the substance of the alternatives in the plebiscite. Complaints made by political parties and by individuals concerning the conduct of the campaign were relatively few in number. Early in the

campaign the leader of the Government Party (KNDP) made the charge that, in their public lectures, Plebiscite Supervisory Officers had referred to the Republic of Cameroun as "French territory" or as having been "French territory", and he requested that no reference should be made concerning "its former French status". The Plebiscite Administrator, with whom I discussed this matter, expressed the view that it was an important part of the public enlightenment campaign to explain to the people the purpose of the plebiscite. In doing this, his officers had given a very brief and simple historical introduction beginning with the division of the Cameroons following World War I. He explained that in the course of these lectures mention was made of the fact that one half of the Cameroons was originally placed under British administration, while the other half was placed under French administration. The latter had recently achieved its independence and was now the Republic of Cameroun. The United Nations Observer reported to me that plebiscite officers had at all times carefully avoided making reference to the term "French territory" and had used instead the term "Republic of Cameroun". There were also a number of complaints that interpreters employed in the enlightenment campaign had been either misinterpreting or deliberately spreading propaganda in favour of one or the other alternative. Although all these complaints were investigated, it proved impossible in most cases to ascertain the real facts as specific times, dates, places and other relevant details were not adduced in support of the charges.

148. I believe that in spite of the physical and other difficulties experienced by the plebiscite staff in the conduct of the campaign, the result of the registration justified my impression that it was carried out in a thorough and efficient manner.

## *Chapter VI*

### **Registration period**

#### **A. THE SOUTHERN CAMEROONS PLEBISCITE (REGISTRATION) REGULATIONS, 1960**

149. At the meeting I had in London with officials of the Colonial Office on 7 September 1960, I expressed the hope that the draft of the Plebiscite Regulations would be transmitted to me in time for consultations before they were finalized.

150. The draft of the Southern Cameroons Plebiscite (Registration) Regulations, 1960, which I received on 17 September, contained four parts. Part I—Preliminary—provided, under five regulations, for the citation of title, definition of terms, the division of the plebiscite districts into registration areas, the form of the register and the appointment in each registration area of places fit to be registration offices.

151. Part II—Preparation of Preliminary List—comprised regulations 6, 7 and 8. Under regulation 6, notices were to be given by the Plebiscite Administrator of the manner and places in each plebiscite district in which registration could take place. Regulation 7 provided for the submission of claims to be registered, the manner of such submission, the duties to be performed by Registration Officers, and the issuance of duplicate registration cards in the event of destruction or loss of registration cards. A person's residence for the purpose of registration in a given registration area was, under paragraph 8 of regulation 7, to be determined by refer-

ence to all the facts of the case, and in particular by reference to rules contained in the Second Schedule. Regulation 8 provided for the preparation and publication of the preliminary list of voters by the Plebiscite Administrator.

152. Part III—Revision of Preliminary List—included regulations 9 to 15. Regulations 9, 10 and 11 provided, respectively, for submission of "claims", "applications" and "objections" within fifteen days after the publication of the preliminary list. Under regulation 9, a person whose name did not appear on the preliminary list and who had, during the registration period, submitted a claim to be registered, was entitled to submit such claim again. Under regulation 10, a person whose name appeared under a registration area other than that for which he had applied, was entitled to apply for the transfer of his name to the latter registration area. According to regulation 11, a person whose name appeared in the preliminary list was entitled to object to any other person whose name appeared therein as not being entitled to have his name on the list or in the registration area thereof. Under regulation 12, the Registration Officer was required to forward all "claims", "applications" or "objections" which were presented to him to a Revising Officer. Regulation 13 gave powers to Revising Officers to determine "claims", "applications" and "objections" upon hearing such evidence as they might consider necessary, and to strike out, enter or transfer names as the case might be. Regulation 14 provided that corrections and additions resulting from a decision of a Revising Officer or from death or disqualification of registered persons were to be carried out by a Registration Officer, after notice had been given to the affected person in the latter cases. Under this regulation, the Registration Officer "shall also make such corrections as he thinks necessary and as are practicable to ensure that no person is entered in the list who will be registered in any other plebiscite district". Regulation 15 prescribed that the final register of voters was to be published not later than 10 February by the Plebiscite Administrator, with such alterations or amendments as he might consider necessary.

153. In Part IV, regulations 16 and 17 defined a number of plebiscite offences such as breaches of official duties; destruction of, or alterations in, documents or notices required to be made under the regulations; giving false information or making false statements wilfully and knowingly in relation to any claim or application; knowingly publishing false statements or rumours for the purpose of preventing qualified persons from registering; knowingly making false statements in any register or document required by the regulation. Under regulation 18, in addition to any other penalty, a person convicted of knowingly publishing false statements or rumours for the purpose of preventing qualified persons from registering was to be disqualified for three years from voting in any election, or from being an elector therein, or from holding a public office in a local government body in the Southern Cameroons.

154. The First Schedule contained a specimen of "Application for Registration, Form A" and the Second Schedule contained "Rules as to the Residence of Electors". Appended to the regulations were three specimen forms, B, C and D, that is a "Second Application for Registration", an "Application for Transfer of a Name on a Preliminary List" and a "Notice of Objection to a Name on Preliminary List".

155. Shortly after the receipt of the draft regulations, I transmitted initial comments to the Plebiscite Administrator. Consultations with the Plebiscite Administrator continued after my arrival in Buea in the second week of October. Discussions centred at the outset on the desirability of establishing in the regulations an orderly procedure for the revision of the preliminary list that would obviate the large degree of administrative discretion which seemed to have been conferred upon the plebiscite officials for this stage of the operation. I had noticed in this connexion that although Revising Officers were to determine "claims", "applications" and "objections" under regulations 9, 10, 11 and 13, after hearing all necessary evidence, it was not clear whether subsequently Registration Officers and the Plebiscite Administrator could not discretionally review these determinations under regulations 14 and 15. Precedents of past plebiscites, particularly the plebiscite held in Togoland under British administration in 1956, and normal principles and practices followed in elections weighed heavily in favour of adopting a procedure whereby the parties could rely on decisions taken on the evidence presented. While the Plebiscite Administrator was reluctant to introduce changes in the regulations which might limit unduly the action expected within the tight schedule of the Revising Officers, he readily agreed that the determinations made by these Officers should stand beyond his authority and that of other plebiscite officials as regards the possibility of changes being made to them.

156. The Plebiscite Administrator and I, together with our immediate advisers, then proceeded during a number of meetings to discuss in detail the regulations which had already been promulgated on 1 October 1960.

157. In line with the views I had expressed previously, it was agreed to amend regulation 13 so that Revising Officers would determine "claims", "applications" and "objections" *in public*, and that their decisions thereon would be *final*. The Revising Officers were also accorded certain powers and protection which magistrates in the Southern Cameroons enjoy in accordance with the Magistrates' Courts (Southern Cameroons) Law, 1955. These powers are those necessary to maintain order in the hearings, including the power to order arrests. The protection accorded to magistrates by the Magistrates' Courts Law is that of immunity against suit for acts done in the performance of the magistrate's duties.

158. Resulting from the finality of decisions by Revising Officers, paragraphs were deleted in regulation 14 that seemed to enable Registration Officers to make additions or corrections in the preliminary list for purposes which were not clearly defined. Moreover, no need seemed to arise for the intervention of another official for reasonable adjustments in the preliminary list. Regulation 14 was accordingly amended to permit Revising Officers to make only "such corrections and additions in the preliminary list as are required (a) for the purpose of correcting clerical errors, and (b) for the removal of duplicate entries". Similarly, under a revised regulation 15(3), the Plebiscite Administrator, upon receiving the preliminary list from the Revising Officers for publication "may cause any alterations, amendment or addition to be made to the list necessary in the compilation thereof to correct any clerical error".

159. At the time these consultations were taking place, I had reports from Observers which indicated

that because of the isolation of some places in the Southern Cameroons the time allotted for registration might be insufficient to allow the registration of all applicants. I raised this question with the Plebiscite Administrator with a view to providing in the regulations the means of extending the period within which registration claims could be made should the need arise. The Plebiscite Administrator agreed to add a provision to this effect as paragraph 10 of regulation 7, as follows: "The Plebiscite Administrator may, in consultation with the United Nations Plebiscite Commissioner if practicable, or if impracticable with the most senior member on the staff of the United Nations Plebiscite Commissioner available, extend the period or appoint a further period within which claims to be registered may be made in any registration area". It was understood that in cases where the Plebiscite Administrator, either in Buea or in the place where the situation arose, had to take an urgent decision under this provision and I was not available at that place, the Plebiscite Administrator would hold consultations with the Principal Secretary on my staff, if present at that place, or otherwise with a United Nations Observer covering the area in question (see para. 188 below).

160. It will be recalled that Article 5 (2) (i) of the Southern Cameroons Plebiscite Order in Council, 1960, provided that every person entitled to be registered as a voter should register "in the registration area in which he is resident at the date of his application." Accordingly, regulation 7 (8) of the Registration Regulations stipulated that a person's residence would be determined by reference to all the facts of the case and in particular by reference to the rules contained in the Second Schedule, as follows:

"1. The place of residence of a person is usually that place which has always or generally been his home, or which he has adopted as his home or where he is generally employed.

"2. Where a person usually sleeps in one place and has his meals or is employed in another place, his place of residence will be where he sleeps.

"3. For the purpose of these rules it will be assumed that a person can only have one place of residence and that it cannot be lost until it is replaced by another.

"4. Temporary absence does not cause a loss, and an absence of less than six months, or which is anticipated to be less than six months, will be regarded as temporary if the intention is to resume actual residence within that period."

When the above provisions regarding the residence of electors were discussed with the Plebiscite Administrator, it became clear that they were intended to facilitate the registration by determining the place where each person should register, and were not to be construed as establishing a residential qualification for voting, inasmuch as sub-paragraph (ii) of regulation 5 (2) of the Order in Council clearly provided that every person fulfilling the qualifications to register and not being at the date of his application resident in the Southern Cameroons, would be able to register "in the registration area in which he was born or, if he was not born in the Southern Cameroons, in the registration area in which his father was born or, if neither he nor his father was born in the Southern Cameroons, in the registration area in which his mother was born." At that time I had also been made aware of possible difficulties in the registration and voting of a certain category of persons

temporarily absent from their place of residence. Rule 4 of the "Rules as to the Residence of Electors", appended in the Second Schedule to the Registration Regulations, provided that "Temporary absence does not cause a loss, and an absence of less than six months, or which is anticipated to be less than six months, will be regarded as temporary if the intention is to resume actual residence within the period". It then appeared that persons staying for less than six months in a place other than their place of residence might not, due to the difficulties in communications, be in a position to register and subsequently to cast a vote. On 25 October, I communicated my views on this subject to the Plebiscite Administrator as follows:

"The United Nations Plebiscite Observers have recently called to my attention difficulties likely to arise in regard to the registration or voting of certain categories of persons. Thus, persons serving sentences of six months or less, hospital patients and migrant workers who will be released or who will move out of a registration area between the period of registration and Polling Day, seem to be placed in an uncertain position under the present Plebiscite Legislation in regard to the possibility both of their being registered and casting their vote.

"Another category of person could be added to those I have mentioned, namely, that of the African plebiscite personnel, although the difficulties appear to be of a much lesser magnitude for persons in this category, since they would normally remain within a plebiscite district during the period in question.

"I fully realize that the number of persons in these categories may be relatively small in comparison to the registrable population and that the argument could be made that in an operation like the present one a certain percentage of the electors would be unavoidably left out of the Register for one reason or another.

"However, it is my firm conviction that, where practicable, an effort should be made to remove obstacles for qualified persons who, in circumstances generally beyond their control, may very well be deprived in practice of exercising their right to vote. Apart from these considerations of principle, the issue has already attracted public interest to an extent that makes representations from political parties not unlikely.

"I have felt it my duty to transmit to you these views in the belief that, within the limits of reason and of established machinery, you may perhaps find a way to clarify the present uncertainties."

161. On 28 October 1960, the Plebiscite Administrator sent the following reply:

"I am glad to be able to inform you that the difficulties mentioned in your letter of 25 October have been receiving attention and that it has already been agreed by the Government of the Southern Cameroons that arrangements should be made for persons serving prison sentences of six months or less, who are otherwise qualified, to be registered and to vote in the plebiscite.

"Arrangements are also being made for hospital patients to be registered in hospital, but whether they will be able to vote will naturally depend on their ability to attend their polling station on polling day as no facilities exist for voting by post.

"Similarly, I do not see any practical difficulty in respect of African plebiscite personnel which are in-

capable of being resolved, and you and I have discussed an amendment to the Registration Regulations which will facilitate this.

"Migrant workers present a different problem and in their case any attempt to depart from the principle on which the legislation is based, that where a man is registered there he must vote, would I am afraid create much greater difficulties than it would solve, and could result in serious confusion. I shall be very ready to consider any suggestions you may have with regard to this, but I believe that adherence to this principle is usual, and I have been informed that it has caused no particular difficulty in the elections which have been held in this country hitherto."

162. Registration of hospital patients and of convicts serving prison sentences of less than six months was effected under directives given by the Plebiscite Administrator on 28 October and 3 November, respectively. By these directives, the Plebiscite Administrator ruled, under regulation 7(8) of the Southern Cameroons Plebiscite (Registration) Regulations, 1960 that the residence of a prisoner or a hospital patient who, by virtue of his confinement has not not been able to register elsewhere, shall be regarded as the prison or hospital in which he is confined. Regulation 7(8) provides that "a person's residence for the purpose of this regulation (i.e., for the registration of residents in the Southern Cameroons and of non-residents therein) shall be determined by reference to all the facts of the case and in particular by reference to the rules contained in the Second Schedule". It will be remembered that I had in mind rule 4 of the rules in the Second Schedule when I raised the question of the registration of the persons temporarily staying in a place other than their normal residence. The directive stated that it should be made clear to persons so registered that they had to vote in the registration area where they registered. Only in the case of hospital patients, and if the arrangements contained in the directive would cause hardship, would an alternative arrangement be authorized to enable a hospital patient to be registered in the registration area in which he was a permanent resident.

163. To my knowledge, no problem was encountered in the registration of migrant workers, as apparently most of these workers stayed more than six months in the place of temporary work, and not having moved out of the area from the time of registration until Polling Day, were presumably able to register under the six months rule contained in rule 4 and to vote.

164. An amendment to regulation 7 of Part II—Preparation of Preliminary List—whereby a new paragraph 9 was added thereto (and to which the Plebiscite Administrator referred in his letter of 28 October), made it possible to register at any time prior to the publication of the preliminary list "persons who by reason of their duties in connexion with the registration have been prevented from registering themselves". The same provision expressly authorized Registration Officers (also at any time prior to the publication of the preliminary list) "to make such corrections as may be necessary in order to correct clerical errors and to include in the list the names of persons who have been wrongly refused registration by Assistant Registration Officers". I supported the inclusion of this provision in the regulations because responsibility for registering applicants had been vested in Registration Officers under the Regulations and, in fact, Assistant Registration Officers were merely clerks who carried out their orders.

If a clerical error or an obviously wrong refusal to register were discovered, the Registration Officer could simply re-assume the powers delegated to his clerks and make adequate corrections. However, the deletion of a name from the list could properly be made only after hearing the affected party and for this hearing the procedure laid down in regulations 9 to 14, for the subsequent stage of Revision of Preliminary List, was entirely suitable.

165. On 28 October, the Plebiscite Administrator wrote to me as follows:

"One matter which we did not discuss yesterday is a suggestion which has been made to me that in order to restrict the bringing of frivolous and vexatious objections under section 11 of the Regulation, and to provide the means for Revising Officers to award compensation to persons unnecessarily put to expense or trouble in consequence of frivolous or vexatious objections brought against them under this regulation, persons making objections under this regulation should be required to deposit a fee.

"The suggestion is that the fee should be twenty shillings. This would be refunded in full in the event of the objection being upheld by the Revision Officer, and at his discretion in other cases; or it could be used to compensate persons against whom frivolous or vexatious objections are brought putting them to expense on account of travelling, loss of time, or other cause.

"This seems to me a reasonable and useful proposal in the circumstances which exist in the Southern Cameroons, and I put it forward for your consideration."

166. When I discussed this question with the Plebiscite Administrator on 30 October, I expressed the view that if a deposit of a fee were required of every objector the exercise of the right to make objections might become dependent upon the financial means of individual objectors or of their political parties. I fully realized, however, that if, in the opinion of the Plebiscite Administrator, unfounded objections were likely to be brought for dilatory purposes, some way would have to be found to strike a balance between the exercising of the right to register and vote and the desirability of devising a deterrent against obstructive tactics. This purpose could be achieved if Registration Officers were to be authorized to require a security only in cases where, in their opinion, the objector had no *prima facie* grounds for the making of an objection, provided that in no case such security would exceed £1. I agreed to a provision drafted along these lines on the understanding that powers of the Registration Officer to require a security would be exercised with restraint and that appropriate instructions would be issued to this effect. These instructions were issued by the Plebiscite Administrator to Registration Officers on 14 November.

167. At subsequent meetings with the Plebiscite Administrator it was agreed that, in order to ensure that objections would be brought in all seriousness and on good grounds, only persons whose names were entered in the preliminary list of a particular registration area in which the name objected to appeared were considered entitled to make objections under regulation 11(1). The reason for this was, of course, that only persons registered in the same registration area as those to whom they objected were in a position to know the latter's qualifications to be registered. A similar provision, I had noticed, was contained in election statutes in

other United Kingdom administered territories, as was indeed contained in regulation 14 of the Northern Cameroons (Registration) Regulations, 1960 which had been promulgated on 23 September 1960.<sup>17</sup> Secondly, it was agreed that under regulation 17(b) the giving of false information or the making of a false statement wilfully or knowingly in relation to an objection would be a criminal offence. Under regulation 17(b) it had been an offence to give false information or to make false statements in relation to any "claims" or "application", but not in relation to an "objection".

168. Two new paragraphs (paras. 8 and 9) were also added to regulation 13 authorizing Revising Officers to assess costs not exceeding £1 incidental to the determination of any objection, at their discretion, and making payment of such costs subject to measures of execution. The provisions in paragraphs 8 and 9 had the same purpose as that authorizing Registration Officers to require a security, as it might often be difficult to ascertain before the objection had been dealt with by the Revising Officer whether the objection was frivolous or vexatious.

169. These changes, and others of less consequence, were published in the Supplement to the *Southern Cameroons Gazette*, No. 53, Volume 6, of 7 November 1960 as Southern Cameroons Plebiscite (Registration) (Amendment) Regulations, 1960.<sup>18</sup>

#### B. RECRUITMENT AND TRAINING OF ASSISTANT REGISTRATION OFFICERS

170. In late September and early October 1960, the Plebiscite Administrator and his staff started to recruit and to train Assistant Registration Officers who were to be responsible for the actual registration of voters in the various plebiscite districts.

171. Before the selection and appointment of Assistant Registration Officers was begun, a series of advertisements were published in the districts calling for persons interested in such positions to present themselves at designated times, dates and places. Candidates were required to have completed Standard VI education and the notices indicated that those having had previous experience with the registration of voters would be given preference. The number of persons responding to these advertisements varied from one district to another, but in each district the number of applicants exceeded ultimate requirements. This was particularly true of the Victoria and Kumba Divisions, where large numbers of persons applied for the positions. The selection of candidates from among the applicants was left entirely to the judgement of the Assistant Plebiscite Administrators of the respective plebiscite districts. However, selection boards were established in a number of districts, with the Assistant Plebiscite Administrator acting as chairman and several Plebiscite Supervisory Officers sitting as members. In certain areas, particularly the Victoria, Kumba and Mamfe Divisions, the Assistant Plebiscite Administrators deemed it advisable to associate one member each of the two main political parties with the work of the selection boards in order to obviate charges of political bias that might subsequently be made against Assistant Registration Officers. In fact, every effort was made to select only those persons who were not active members of political parties. Apart from these considerations, the boards attempted

<sup>17</sup> See annex V.

<sup>18</sup> See annex VI.

to select candidates having the highest educational qualifications and previous experience in registration and, consequently, concentrated on selecting as many teachers and local officials as could be spared from their work. With a greater concentration of qualified personnel being available in the southern part of the Southern Cameroons, required standards could be met more easily in those areas than in the northern parts, where in a few instances it was necessary to forego the minimum educational requirement of Standard VI to obtain the full complement of Assistant Registration Officers. While the southern districts could boast a surplus of qualified personnel, it did not prove to be feasible to shift some of their number to the northern districts because the diversity of local languages and dialects made it essential that Assistant Registration Officers should be recruited, in so far as possible, from areas to which they would be assigned by virtue of their knowledge of the local vernacular. The selection of some of the candidates in several areas was witnessed by Mr. John Miles, the same Observer whom I had entrusted with observing the conduct of the pre-registration public enlightenment campaign, who reported to me that the number of objections by political parties to the selection of candidates had been very small. In most cases where objections had been raised, plebiscite officials decided against their selection. In the end, a total of 568 Assistant Registration Officers were chosen. They received intensive courses of instruction lasting from three to four days in each area. As I was anxious to have the fullest information concerning the manner in which these training courses were being conducted, I decided to send two members of my Buea headquarters staff to witness the conduct of these courses in Bamenda and Mamfe.

172. Before the start of the courses, most Assistant Registration Officers were assigned to areas with whose people and languages they were normally familiar. Nevertheless, in some cases where this did not prove to be possible, interpreters were assigned to them.

173. During the lectures the Assistant Registration Officers were informed in general terms of their assigned duties during the registration period and were told of the arrangements which had been made for their transportation, movements, salaries and allowances. Working hours were established between 7 and 11 a.m. and again from 2 to 6 p.m. They were instructed that under no circumstances was registration to be conducted after dark and that work would not be interrupted on Saturdays, Sundays or on public holidays. It was made clear that registration was to be conducted in strict observance of the Plebiscite legislation and that all outside influence to the contrary was to be resisted. No account was to be taken of political affiliations, and persons belonging to parties holding views different from those of the Assistant Registration Officers would have to be registered. Similarly, they were cautioned not to make distinctions on the basis of tribal or racial groupings and were instructed that anyone qualifying under the Registration Regulations was to be registered.

174. They were then given intensive courses in the mechanics of registration which were based on a booklet entitled *Instructions to Assistant Registration Officers*<sup>19</sup> describing in considerable detail the functions they would have to carry out. Subsequently, the Assistant Registration Officers took turns in teams of two or three going through the routine of practising registra-

tion, i.e. the completion of forms, registration of names and the issuance of registration cards. Detailed explanations had to be given repeatedly concerning birth requirements. Assistant Registration Officers generally found it hard to understand why, for example, a person born in the Southern Cameroons, whose parents were not from the Southern Cameroons, and who had subsequently left the Southern Cameroons, should be entitled to be registered. Such persons were regarded by most Assistant Registration Officers raising the question as "foreigners". They were directed that, if they had any doubts as regards the age, residence or birth qualification of a given applicant, the application should be rejected and the appropriate annotation be made on the back of the application form.

175. At the end of the training courses, each of the Assistant Registration Officers were given detailed itineraries they were to follow, as well as all the necessary materials for their job and were sent to their respective registration areas.

176. While it is only natural that in an operation of this kind certain shortcomings and difficulties had to be expected, I believe that in the end these were relatively few in number and that in the light of the results of their efforts it can confidently be said that the Assistant Registration Officers, who frequently had to work under very difficult conditions, lived up to expectations.

#### C. CONDUCT OF REGISTRATION

177. The process of registration of voters was not a novel experience to the people of the Southern Cameroons who, on previous occasions, had had opportunity to register for elections of representatives to the Southern Cameroons House of Assembly. They were thus well acquainted with the mechanics of registration having, in addition, received thorough instructions concerning the procedures which were to be followed in the present exercise.

178. Before the start of registration, Mr. Foncha, the Premier of the Southern Cameroons, approached me in his capacity of Leader of the Government Party (KDNP) with the complaint that numerous registration cards had found their way into the hands of the opposition party, Cameroons Peoples' National Convention (CPNC). He requested that special measures should be taken to avoid what he described as "a threat to the plebiscite". The disappearance of the cards in question was attributed by the Plebiscite Administrator to an accident which had occurred during their off-loading at Rota when one crate was dropped on the docks. Investigation revealed that, with the exception of less than one hundred blank registration cards, all were recovered undamaged. When informed of this, Mr. Foncha nevertheless insisted that large numbers of these cards were abroad, particularly in the Victoria and Kumba divisions, and he further expressed the fear that the opposition might also attempt to forge cards, issue them to unauthorized persons and in this way discredit the plebiscite. The Plebiscite Administrator and I made it clear to Mr. Foncha that apart from the fact that there existed no evidence to this effect, possession of a registration card in itself did not entitle a person to vote. Such a card was merely designed to be an aid to the presiding or polling officers for tracing rapidly a person's name on the register on polling day. Furthermore, the registration card had to have recorded on it the person's name, residence and registration code, which in turn had to correspond to the entry on the

<sup>19</sup> See annex VII.

register. When Mr. Foncha insisted that, as a precautionary measure, all cards in the hands of plebiscite personnel in the Victoria and Kumba divisions should be stamped with a special security stamp, although this seemed to be unnecessary, the Plebiscite Administrator, in consultation with me, acceded to Mr. Foncha's request. Consequently, all registration cards allocated for these divisions were recalled and were stamped before being issued by the Assistant Registration Officers. Thus, only cards bearing the special imprint were honoured in the plebiscite district of the Victoria and Kumba divisions, while those without it could be used only in the other divisions of the Southern Cameroons.

179. Regulation 6 of the Southern Cameroons Plebiscite (Registration) Regulations, 1960 provided that "on or before the 26th October, 1960, the Plebiscite Administrator shall cause notice to be given in each plebiscite district of the manner in which and the place at which claims for registration as a voter in the plebiscite may be made". In accordance with this provision, arrangements were made by the Assistant Plebiscite Administrators and the Plebiscite Supervisory Officers to post notices throughout the twenty-six districts of the Southern Cameroons indicating the dates, places and times at which registration would be conducted in the various registration areas.

180. Regulation 7 of the Registration Regulations provided that "any person entitled to be registered as a voter in the plebiscite may submit a claim to be registered as a voter" and also provided that "a claim under this regulation shall be submitted to the Registration Officer or the Assistant Registration Officer of the registration area in which the applicant claims to be registered, not earlier than the 26th October, 1960 and not later than the 22nd November, 1960". Accordingly, the Administrator proclaimed 26 October 1960 as the first day of registration, which coincided with Southern Cameroons National Day. This being a legal holiday in the Territory, registration in many areas did not begin until the following day.

181. Voters were registered in accordance with the qualifications which had been determined by the General Assembly as well as by the Administering Authority. In accordance with General Assembly resolution 1352 (XIV), which provided that only persons born in the Southern Cameroons or one of whose parents was born in the Southern Cameroons should vote in the plebiscite, provision was made in Article 5(2)(b) of the Plebiscite Order in Council that every person "who was born in the Southern Cameroons or whose father or mother was born in the Southern Cameroons shall, subject to the provisions of this Article, be entitled on application to be registered as a voter".

182. It will be recalled that while the General Assembly had recommended that the plebiscite in the Northern Cameroons should be conducted on the basis of universal adult suffrage, all those over the age of twenty-one being qualified to vote, no such qualification had been made in the case of the Southern Cameroons plebiscite. Provision for age qualification was made in Article 5(2)(a) of the Order in Council whereby every person being twenty-one years of age or older was entitled to register, and I was informed that this qualification for purposes of the plebiscite was in line with the established electoral requirements in the Southern Cameroons.

183. In accordance with Article 5 of the Order in Council, regulation 7(8) of the Registration Regula-

tions established rules as to the place where applicants might submit their claims for registration. Reference has already been made to these provisions in paragraph 160 above. At the same time, Article 5(3) of the Order in Council established certain disqualifications, namely, that no person should be entitled to be registered as a voter who, at the date of his application to be registered, was:

"(a) Under a sentence of death imposed on him by any court of law or a sentence of imprisonment (by whatever name called) exceeding six months imposed on him by such a court or substituted by competent authority for some other sentence imposed on him by such a court;

"(b) Adjudged or otherwise declared by competent authority to be of unsound mind (by whatever name called);

"(c) Disqualified under any law for the time being in force in the Southern Cameroons, the Northern Cameroons, the Republic of Cameroun or the Federation of Nigeria, from being registered as an elector or from voting in an election by reason of his conviction for such offences connected with elections as may be prescribed by or under regulations made under article 4 of this Order; or

"(d) Subject to any disqualification referred to in sub-paragraph (g) of paragraph (2) of Article 4 of this Order and imposed under that sub-paragraph for an offence relating to the plebiscite."

184. Apart from stressing the technical aspects of the registration process, namely, the use of application forms, recording of applications, issuance of registration cards and related details, special efforts were made by the Plebiscite Administrator and his staff to impress upon the Assistant Registration Officers the need for following accurately and thoroughly the instructions relating to the qualifications for registration. The special booklet entitled *Instructions to Assistant Registration Officers* was issued to each of these officials as a guide. Although the instructions were, generally speaking, detailed and explicit in nature, Assistant Registration Officers were left to exercise a certain degree of discretion. Assistant Registration Officers were instructed, for example, that when a person was obviously below the age of twenty-one, they were to inform him that he was not entitled to vote. If there was any doubt as to whether or not the applicant was twenty-one years of age, they "should ask him to declare in public that he is, so that everyone present can hear, and if he so declares" his application was to be accepted. Such an instruction was required in a territory where registers of vital statistics did not exist, and thus documentary proof of birth could not be submitted in support of a claim. In practice, the people of the communities where registration was being conducted could usually provide oral evidence concerning age and residence of an applicant as, generally speaking, they were known to each other. In an area where illiteracy is high and dates are not always recalled with accuracy, one of the criteria used for determining whether a person was twenty-one years of age was to recall whether the person was born before the outbreak of World War II, an event which was recalled almost everywhere in the Territory. In addition, Assistant Registration Officers could rely for proof of age and residence on another source. Political parties had been apprised of the provisions of the Registration Regulations well ahead of the period of registration, and while no specific provision had been made for associating representatives of political parties with registration,

political parties had been encouraged on an informal basis to send representatives to witness registration and to assure themselves of the propriety of its conduct. In many areas, representatives of political parties were present during registration, and in others, local chiefs and officials of local government witnessed the registration process.

185. Since Assistant Registration Officers were required to cover fairly large and frequently remote areas with no available facilities for proper safekeeping of their registers, measures were taken designed to prevent tampering with the registers while the Assistant Registration Officers were on tour. At the end of each day, Assistant Registration Officers were required to read out loud the last name entered on each list and, again, before resuming their work the following morning.

186. During the early stages of registration it was only natural that a number of errors would be made by Assistant Registration Officers. Registration Officers and United Nations Observers who were on constant tour in their respective plebiscite areas were instrumental in taking such action as was required to correct errors made by the Assistant Registration Officers and supervising their work. Omission of numbers in the register, duplication of names, and in some places the omission of names, were the most common errors which

in most cases could be corrected without great difficulty, although occasionally Assistant Registration Officers were required to revisit certain registration areas to make the necessary corrections.

187. The pre-registration enlightenment campaign, referred to above, and the fact that the CPNC and KNDP as well as other parties had encouraged the people to participate in the registration, contributed in large measure to the heavy turnout of the people during registration. Complaints relating to registration were few in number and only in two cases was it necessary to initiate criminal procedures against Assistant Registration Officers. In the Kumba Division one such official added the names of 95 fictitious persons to the register. Upon discovery of this, the Assistant Registration Officer was dismissed and criminal proceedings were initiated against him. The 95 names were expunged from the register. Another case of this nature was reported from Bamenda, in respect of which similar action was taken.

188. Registration ended, as provided in the Registration Regulations, on 22 November 1960, and although provision had been made for the extension of the registration period, should such become necessary, no extension was required in any of the plebiscite districts. The following figures show the registration for each plebiscite district:

	<i>Plebiscite district</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Victoria	1. South-West .....	4,329	2,472	6,801
	2. South-East .....	4,373	2,103	6,476
	3. North-West .....	5,898	3,883	9,781
	4. North-East .....	8,497	4,717	13,214
Kumba	5. North-East .....	12,829	9,741	22,570
	6. North-West .....	6,973	8,710	15,683
	7. South-East .....	11,733	8,361	20,094
	8. South-West .....	2,668	2,224	4,892
Mamfe	9. West .....	5,231	6,133	11,364
	10. North .....	6,297	6,894	13,191
	11. South .....	4,272	4,953	9,225
	12. East .....	5,178	7,381	12,559
Bamenda	13. North .....	14,267	14,447	28,714
	14. East .....	9,530	11,245	20,775
	15. Central West .....	8,396	11,506	19,902
	16. Central East .....	8,375	10,902	19,277
	17. West .....	7,049	10,317	17,366
	18. South .....	8,711	11,557	20,268
Wum	19. North .....	3,681	5,490	9,171
	20. Central .....	3,092	4,111	7,203
	21. East .....	5,759	9,237	14,996
	22. West .....	3,280	3,951	7,231
Nkambe	23. North .....	4,127	4,607	8,734
	24. East .....	4,810	5,381	10,191
	25. Central .....	4,280	5,447	9,727
	26. South .....	4,317	5,937	10,254
TOTALS		167,952	181,707	349,659

#### D. PREPARATION AND PUBLICATION OF THE PRELIMINARY LIST

189. Owing to the need for altering the time-table of the plebiscite (see paras. 111-113 above), for reasons already given above, it was decided that fifty per cent of the lists all of which would normally have been prepared locally, would be sent to Buea for typing and reproduction. Registration Officers brought the lists to

Buea where they were typed and reproduced under their supervision in a processing pool composed largely of Cameroonian and a few expatriate staff. In view of the urgency of this operation and the attendant need to ensure that proper security measures were taken for the safe-guarding of the lists, I requested Observers to be present when the Assistant Registration Officers delivered the lists to the district headquarters and to supervise the dispatch of all lists which were being sent to

Buea. Observers also supervised the preparation of the remainder of the lists in their respective districts. This task was completed within the two week period envisaged by the Plebiscite Administrator.

190. Although the staff of my headquarters had exercised a certain degree of supervision during the preparation of the lists in Buea, I deemed it desirable that Observers should proceed to spot-check the lists which had been prepared in Buea against the original lists or registration forms as soon as the lists were returned to the districts by the Registration Officers. In order to facilitate this task, the Plebiscite Administrator undertook to instruct the Assistant Plebiscite Administrators to offer facilities and co-operation to enable Observers to comply with this request. The Plebiscite Administrator, while desirous of co-operating with me in this task, recalled the heavy schedule of work which lay ahead for the plebiscite staff and the relatively brief time to accomplish it, and asked that this be taken into consideration when seeking the assistance of Registration Officers for the spot-checking of lists. I therefore advised Observers to work out suitable arrangements in this regard with their plebiscite counterparts, and asked them to bear in mind that spot-checking of the lists should not delay publication of the preliminary list inasmuch as any corrections could be dealt with in accordance with regulation 14 of the Registration Regulations. I also requested them to obtain reasonable assurance that the lists did not contain substantial inaccuracies which might add to the work of the Revising Officers during the hearing of claims and objections. In this way numerous errors such as duplication of numbers and entries of names, gaps in numeration and misspellings were corrected and, where necessary, Assistant Registration Officers and in some cases Registration Officers were required to revisit registration areas to recall faulty registration cards and to issue new ones. With this task successfully accomplished, the preliminary lists were published in accordance with regulation 8 (2) of the Registration Regulations which provided that "The preliminary list shall be published not later than the 27th December 1960, and the manner of publication shall be by displaying copies of the whole or part thereof at any Native or Customary Court having jurisdiction within the plebiscite district to which such list relates and at such other place or places in the plebiscite district as the Plebiscite Administrator may think fit." Regulation 8 (3) also provided that the Plebiscite Administration should publish notices in each plebiscite district which should state the places where the preliminary list might be inspected. In compliance with this provision notices were widely displayed, giving information concerning the posting of the preliminary list in each registration area which took place on various dates between 1 and 19 December 1960.

191. Regulation 8 (5) of the Registration Regulations provided that "The Plebiscite Administrator shall make available such number of copies of the preliminary list for sale to members of the public as he shall consider desirable and practicable and shall prescribe such fee as the price thereof as he thinks reasonable." In accordance with this regulation the Plebiscite Administrator prescribed that one copy of the preliminary list for the whole of the Southern Cameroons would be sold at a fee of ten guineas at the United Kingdom Plebiscite headquarters in Buea to each recognized political party which applied. Apart from this, the list or any part thereof was to be sold by the Assistant Plebiscite Administrators to interested persons at 2s. 6d., a folio, pro-

vided that nothing less than a list of the sub-units should be sold.

## Chapter VII

### Hearing of claims, applications and objections: publication of the final register of voters

192. The procedure governing the revision of the preliminary list was laid down in regulations 9 to 15 of the Southern Cameroons Plebiscite (Registration) Regulations, 1960, as amended by the Southern Cameroons Plebiscite (Registration) (Amendment) Regulations, 1960.

193. In addition, regulation 7(9) empowered the Registration Officer at any time prior to the publication of the preliminary list to "make such corrections as may be necessary in order to correct clerical errors and to include in the list the names of persons who have been wrongly refused registration by Assistant Registration Officers and to include the names of persons who by reason of their duties in connexion with the registration have been prevented from registering themselves". This procedure enabled Registration Officers to place on the list the names of persons who had been wrongly omitted but did not permit the exclusion of persons already on the list. This provision was valuable in reducing the number of claims under regulation 9 during the revision period. It was not strictly speaking a part of the process of revision, but was closely connected with it and serves to explain in part the comparatively small number of claims which were heard by Revising Officers under regulation 9.

194. The statutory period during which claims, applications or objections could be made was 15 days after the first publication of the preliminary list. The official date of publication within a plebiscite district was the last date on which publication was completed in each of the registration areas within a plebiscite district.

195. The first step for making a claim, application or objection called for the completion of the proper form, which had to be handed in person to the Registration Officer. In accordance with the provisions of regulation 11(3), the Registration Officer was empowered, if it appeared to him that an objection was, *prima facie*, vexatious or frivolous, to "order the person delivering the notice to give security for the payment of such lists, charges and expenses as may become payable by him to any person objected to". Regulation 11(4) provided that "the security shall be of such amount (not exceeding £1 in respect of each notice) as the Registration Officer may order and shall be deposited in cash and in the event of any failure to comply with such an order no further proceedings shall be had on the objection".

196. Out of 1,030 claims, applications and objections made to Registration Officers deposits, amounting to a total of £35, were required in 67 cases, 65 of which were withdrawn before revision began. In some cases block objections, prepared for the most part by officials of political parties, were not submitted to the Registration Officers when the objectors realized that they might be required to deposit costs if their claims appeared *prima facie* to be vexatious or frivolous. On 14 November 1960, the Plebiscite Administrator reminded Registration Officers that security for costs would be required only in cases where there were good grounds for believing an objection to be vexatious or frivolous. It was emphasized that it was important that persons

"should not be deterred from making *bona fide* objections by the need to give security and in applying regulation 11, persons who have legitimate objections must not be prevented in practice from bringing them because of difficulties in obtaining the fees needed for the security". I have no reason to believe that this instruction was violated in letter or spirit.

197. Revising Officers were appointed in accordance with paragraph 3 of Article 6 of the Southern Cameroons Plebiscite Order in Council, 1960. Their appointments were published in the Southern Cameroons Notice No. 363 of 24 December 1960 and were effective from 12 December 1960. To enable the maximum use to be made of plebiscite personnel, the jurisdiction of each Revising Officer covered all registration areas in the Southern Cameroons, but no Revising Officer conducted revision in the plebiscite district in which he had conducted registration.

198. Revision was carried out as soon as possible after the expiry of the statutory period for making claims, applications or objections in the plebiscite districts concerned. The cases were largely concentrated in the Kumba and Victoria divisions. Revision proceeded smoothly under the close supervision of United Nations Observers and apart from a question of procedure which arose at the commencement of revision and which was quickly and satisfactorily resolved, no objections were received on the manner in which revision was conducted.

199. Revising Officers sat in open court and were guided in their duties by instructions<sup>20</sup> prepared by the Attorney General of the Southern Cameroons which had been submitted to me for comment and approval. The following is a summary of the total number of claims, applications and objections which were made and disposed of, and the costs involved:

	Amount	No.
Claims, applications and objections made to Registration Officers (regulation 11)		1,030
Deposits required by Registration Officers		67
Total value of deposits	£35. 0s. 0d.	
Claims and objections withdrawn before revision		65
Claims heard by Revising Officers (regulations 9, 13, 14)		100

<sup>20</sup> See annex VIII.

	Amount	No.
Claims allowed by Revising Officers		67
Claims disallowed by Revising Officers		32
Claims withdrawn during revision		1
Applications heard by Revising Officers (regulations 11, 13, 14)		1
Applications allowed by Revising Officers		—
Applications disallowed by Revising Officers		1
Objections heard by Revising Officers (regulations 11, 13, 14)		864
Objections allowed by Revising Officers		114
Objections disallowed by Revising Officers		73
Objections withdrawn during revision		677
Cases in which costs were awarded during revision		34
Total value of costs awarded during revision	£15. 8s. 8d.	

200. Regulation 15(1), as revised, provided that "not later than the 26th January, 1961, the Registration Officer shall complete the corrections and additions to the preliminary list in accordance with regulations 13 and 14 and shall cause the names therein to be numbered in such a manner as the Plebiscite Administrator may direct and he shall then sign the list and forward it to the Plebiscite Administrator or such person as may be designated by the Plebiscite Administrator". Paragraph (2) of regulation 15 provided that "The Plebiscite Commissioner shall cause the list to be published in the manner prescribed in regulation 8(2) not later than 10th February, 1961". In addition to the changes in the final register of voters resulting from decisions rendered by Revising Officers during the hearing of claims, applications and objections, a total of 40 adjustments were made in accordance with regulation 15(3) which provided that "at any time either before or after publication of the list, but not later than the eighth day before the day of the plebiscite, the Plebiscite Administrator may cause any alteration, amendment or addition to be made to the list necessary in the compilation thereof to correct any clerical error". All corrections and changes resulting from the disposition of claims, applications and objections were made in the preliminary list before 26 January 1960 and the final register of voters was displayed throughout all plebiscite districts in the Southern Cameroons in accordance with the provisions of regulation 15, paras. 1 to 6.

201. The final register of voters was as follows:

	Plebiscite districts	Male	Female	Total
Victoria	1. South-West	4,331	2,482	6,813
	2. South-East	4,371	2,103	6,474
	3. North-West	5,898	3,883	9,781
	4. North-East	8,512	4,722	13,234
Kumba	5. North-East	12,776	9,722	22,498
	6. North-West	6,973	8,714	15,687
	7. South-East	11,735	8,361	20,096
	8. South-West	2,668	2,224	4,892
Mamfe	9. West	5,236	6,136	11,372
	10. North	6,316	6,900	13,216
	11. South	4,272	4,953	9,225
	12. East	5,178	7,381	12,559
Bamenda	13. North	14,268	14,447	28,715
	14. East	9,530	11,246	20,776
	15. Central West	8,397	11,500	19,897
	16. Central East	8,375	10,902	19,277
	17. West	7,049	10,317	17,366
	18. South	8,711	11,557	20,268

		<i>Plebiscite districts</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Wum	19.	North .....	3,681	5,489	9,170
	20.	Central .....	3,090	4,111	7,201
	21.	East .....	5,760	9,237	14,997
	22.	West .....	3,281	3,950	7,231
Nkambe	23.	North .....	4,126	4,607	8,733
	24.	East .....	4,808	5,383	10,191
	25.	Central .....	4,282	5,447	9,729
	26.	South .....	4,317	5,937	10,254
TOTALS			167,941	181,711	349,652

### Chapter VIII

#### The second public enlightenment campaign

202. Beginning with the first week of January 1961, the Administering Authority conducted a campaign in the Southern Cameroons which lasted approximately three weeks and was designed to provide the people with an opportunity, in accordance with Trusteeship Council resolution 2013 (XXVI), to acquaint themselves before the plebiscite with the constitutional arrangements which they might expect should they decide to join either the Federation of Nigeria or the Republic of Cameroun. For this purpose the booklet entitled *The Two Alternatives* referred to in paragraphs 81 and 82 above<sup>21</sup> served as the principal guide for the twenty-six Plebiscite Supervisory Officers who conducted the campaign in their respective plebiscite districts. This booklet, of which 100,000 copies were printed in English, was widely distributed throughout the Territory.

203. Before the start of the enlightenment campaign the Plebiscite Administrator submitted to me for comment a set of instructions to be given orally to the Plebiscite Supervisory Officers which were to guide them in the conduct of the campaign. These instructions, to which I raised no objection, provided that the plebiscite staff should adhere strictly to the explanations contained in the official booklet referred to above and should avoid, at all times, giving interpretations concerning the implications of the two alternatives or becoming involved in political debates. They were authorized to contrast the constitutional and legal provisions made by the two Governments and to stress the fact that it was the intention of the Administering Authority to terminate Trusteeship at an early date, no matter what the outcome of the plebiscite.

204. For my part, I instructed Observers to attend as many of the meetings as possible and to ensure that the people were given accurate and factual information concerning the alternatives in the plebiscite; that no personal opinion or interpretation was given about the alternatives, and that lectures and replies to questions given by Plebiscite Supervisory Officers did not depart from official statements contained in the official booklet. At the same time, I instructed the Observers to refrain from answering questions concerning the implication of the alternatives. Realizing that in the course of their tours they might be approached by individuals seeking explanations on the meaning of the alternatives, I advised Observers to limit their replies to statements based on the official document referred to above.

205. It was obvious from the outset that the Plebiscite Supervisory Officers would be confronted with considerable difficulties in conducting the campaign. In the first place they had to contend with the inescapable fact

that the constitutional arrangements proposed by the two Governments provided in some detail information concerning the conditions under which the Territory might be expected to join the Federation of Nigeria, but set forth with less precision the terms under which the Southern Cameroons might join the Republic of Cameroun. Moreover, with the delay in getting the enlightenment campaign under way, political parties had begun their own campaign almost simultaneously with that of the Administering Authority. While the political parties were in a position to campaign on specific issues, enjoying at the same time the advantages of being able to persuade the electorate to make a choice based on their interpretation of the alternatives, the plebiscite staff was limited to disseminating official information concerning the two alternatives, the second of which was less precise than the first. Consequently, it was not surprising that in these circumstances, Plebiscite Supervisory Officers were exposed to accusations of partiality and bias. It should also be noted that in a Territory where illiteracy is fairly high and the principal means of disseminating information is the spoken word, the circulation of a booklet printed in English was not likely to have a marked effect on the electorate which, even in so far as it was literate, was not in a position to comprehend fully the technical and intricate language describing the constitutional provisions relating to the two alternatives. This is by no means a criticism of the efforts made by the Plebiscite Supervisory Officers, for indeed they carried out what was required of them. In the light of these considerations, it may be said that the campaign did not come up to expectations, although it was carried into every corner of the Southern Cameroons with vigour and determination. From the very outset, Plebiscite Supervisory Officers became the target of local KNDP and OK supporters who accused them of partiality and bias, claiming that their detailed presentation of the first alternative detracted from the brevity of the second. These same supporters also resorted to destroying publicly large numbers of the booklets. It was almost from the initial stages of the campaign that these parties boycotted the previously announced public meetings and in many instances used such meetings to heckle the officials and to discredit them. This was particularly true in the plebiscite districts of the Bamenda highlands, where attendance dwindled and interference with public meetings increased as the campaign wore on. Although Observers reported that Plebiscite Supervisory Officers had on occasions, particularly at the beginning of the campaign, given replies to questions which could have been construed as being one-sided or biased, these officials desisted from such practices once their attention was drawn to the need for avoiding repetition of such remarks. In this connexion, I would like to make it clear that I met personally many of the Plebiscite Supervisory Officers. Being recent university graduates from the United Kingdom, employed

<sup>21</sup> See also annex XIV.

specifically for the plebiscite, they had no stake in the administration of the Territory and, without exception, brought with them a refreshing measure of initiative and intellectual independence which enabled them to remain detached from the everyday administration of the Territory. If, indeed, on a few occasions they overstepped their terms of reference in the campaign, I believe that they did so with no ulterior motives or intentions.

206. Since the enlightenment campaign was conducted concurrently with the campaign of the political parties, it was only natural that the people would be drawn closer and listen more attentively to the political leaders who were known to them, spoke their language and came to them as their own elected representatives, than to plebiscite officials who, no matter how detached and impartial, were regarded as members of the Administration of the Territory.

### Chapter IX

#### Political parties and their activities in the plebiscite

##### A. POLITICAL PARTIES

207. Before giving an account of the activities of political parties in the Southern Cameroons plebiscite campaign it is perhaps useful to give a brief outline of the political parties, their leadership and their position regarding the plebiscite alternatives. Although party affiliations, generally speaking, tend to obtrude themselves into local politics, local government elections are not overtly contested on party platforms and it is not possible therefore to provide details of party membership in local government councils. Since parties do not publish figures of their membership the only guide to party affiliation or sympathy is provided by the results of the most recent elections to the Southern Cameroons House of Assembly which took place early in 1959. During that election the Kamerun National Democratic Party (KNDP) obtained a total of 73,304 votes and the Kamerun People's Party/Kamerun National Congress Party alliance, now Cameroons Peoples' National Convention, (CPNC), obtained 51,354 during the same elections. There is virtually nothing to distinguish these two parties so far as their economic and social policies are concerned and they are divided only on the future of the Territory. The aims of the political parties in the Southern Cameroons as regards the plebiscite are set out below.

208. *The Kamerun National Democratic Party (KNDP)* was formed in 1954 by Mr. John N. Foncha as a break-away movement from Dr. E. M. L. Endeley's Kamerun National Congress (KNC). The KNC's main platform prior to that time called for the separation of the Southern Cameroons from the Eastern Region of Nigeria. When this was achieved, the KNC split on the issue of whether the Southern Cameroons should remain within the Federation of Nigeria, as favoured by Dr. Endeley, or re-unify with the then Trust Territory of the Cameroons under French administration, as favoured by Mr. Foncha. The KNDP, which strongly supported the proposition favouring union with the Republic of Cameroun, is led by Mr. J. N. Foncha who is at present the Premier of the Southern Cameroons. In addition to Mr. Foncha, the following twelve members represent the party in the House of Assembly:

Mr. S. T. Muna, Minister of Commerce and Industry; Mr. A. N. Jua, Minister of Social Services; Mr.

P. M. Kemcha, Minister of Natural Resources; Mr. W. N. O. Effiom, Minister of Works and Transport; Mr. J. M. Bokwe, Minister of Co-operatives and Community Development; Mr. M. Ndoke, Minister of State; Mr. S. Nji, Parliamentary Secretary, Commerce and Industries; Mr. N. M. Monono, Parliamentary Secretary, Natural Resources; Mr. J. H. Nganje, Parliamentary Secretary, Local Government, Land and Survey; Mr. S. Moffor, Government Chief Whip; Mr. D. M. Frambo and Mr. W. S. Fonyonga.

209. *The Cameroons Peoples' National Convention (CPNC)* was formed recently as a result of a merger of Dr. Endeley's Kamerun National Congress (KNC) and Mr. N. N. Mbile's Kamerun People's Party (KPP). The KNC was originally the party that pressed for separation from the Eastern Region of Nigeria. The KPP, which was then linked with the National Council of Nigeria and the Cameroons, favoured remaining part of the Eastern Region. Since separation of the Southern Cameroons from the Eastern Region in 1954, the parties have found common ground in their opposition to the KNDP's policy of separation from Nigeria and unification with the Republic of Cameroun. In the 1959 general election the parties retained their identity but formed the KNC/KPP alliance and as such were the official Opposition until the parties merged in June of 1960.

210. The party, which supported the proposition favouring union with the Federation of Nigeria, is led by Dr. E. M. L. Endeley who is its President and also Leader of the Opposition in the Southern Cameroons House of Assembly. Mr. N. N. Mbile is the party's Vice-President. In addition to Dr. Endeley and Mr. Mbile, the following are members of the House of Assembly: Mr. V. T. Lainjo (KNC); Rev. J. C. Kangsen (KNC); Rev. S. Andoh-Seh (KNC); Mr. D. Nyanganji (KNC); Mr. S. N. Tamfu (KNC); Mr. J. Nsame (KNC); Mr. S. E. Ncha (KPP); Mr. F. N. Ajebe Sone (KNC); Mr. J. M. Nasako (KPP); Mr. P. N. Motomby-Woleta (KPP), and Mr. J. N. Boja (elected as KNDP member but crossed the floor).

211. *The Kamerun United Party (KUP)* was founded early in 1959 by Mr. P. M. Kale of Buca who was at one time leader of the KPP. The party is a manifestation by those who are not satisfied with either of the plebiscite choices. It clearly represents an identifiable body of opinion, but as it has never contested an election, it is not possible to gauge its actual strength. It has no members in the House of Assembly.

212. This party favoured the separation of the Southern Cameroons from Nigeria and the attainment of independence as a separate sovereign State within the Commonwealth. The party does not rule out the ultimate possibility of union with either Nigeria or the Republic, but does not wish to be committed to either course at this stage.

213. *The Cameroons Commoners Congress (CCC)* was formed at about the same time as the KUP, and for the same reasons, by Chief S. Nyenti of Mamfe. The party's aims are virtually identical to those of the KUP. The party enjoys a measure of support, especially in the Mamfe Division; but as it, too, has never contested an election, its actual strength is unknown. It was the CCC's stated aim "to build up an independent British Cameroons" and to "ensure that British Cameroons will not instigate a quarrel between an independent Nigeria and the independent French Cameroons. That is that the British Cameroons shall not join

Nigeria to oppose French Cameroons nor shall she join French Cameroons to oppose Nigeria”.

214. *The One Kamerun Party (OK)* was formed in 1957 and is led by Mr. W. Ntumazah. The party's aims are laid down in its constitution which, published on 15 December 1960, provides for the attainment of unification and independence of the “people of the Kamerun Nation (Kamerun as from 1885 to 1916, viz. Northern Kamerun, Southern Cameroons and the Cameroun Republic).” The party did not officially contest the 1959 General Election, but two persons stood as OK candidates and secured a total of 2,021 votes. The party has no representatives in the House of Assembly.

215. *The Cameroons Moslem Congress (CMC)* is a small party formed in mid-1959 by Malam Sale. It draws support from among the Moslems of the grasslands, mostly in the Bamenda and Nkambe Divisions. Its precise strength is not known. The party favoured joining Nigeria as a self-governing Region in the Federation, because it considers that the weight of the Northern Region would ensure the adequate protection of Moslem minorities throughout the Federation.

216. *The Cameroons Indigenes Party (CIP)* was formed at the beginning of October 1960, by Mr. Jesco Manga-Williams of Victoria. Whereas the CPNC sought to achieve independence by re-entering the Federation of Nigeria, and the KNCP by joining the Cameroun Republic, the CIP favoured the achievement of independence before joining Nigeria or the Republic of Cameroun, so as to enjoy appropriate respect and status at the time the association with one or other of these countries took place. The party's actual strength, mainly concentrated in the Victoria division, is unknown.

217. There were no Nigerian parties active in the Southern Cameroons nor were there formal alliances between Southern Cameroons and Nigerian parties. Similarly, no parties from the Republic of Cameroun were active in the Territory.

#### B. THE POLITICAL CAMPAIGN

218. There was very little organized political activity in the Southern Cameroons during the earlier stages of preparation for the plebiscite which, it will be recalled, were devoted to the registration of voters, the preparation and publication of the preliminary list, the hearing of claims and objections and the publication of the final list. During that period, the parties confined themselves to urging the people through elected representatives, local party functionaries and chiefs to register for the plebiscite and to supervising the entire process of registration. It was not until the middle of January, when the Plebiscite Administration had started its official public enlightenment campaign, that the political parties began their campaigns which became more intensive as polling day approached. For this purpose, the parties made use of printed propaganda material such as pamphlets and posters, but their main efforts to convince the population to vote for one alternative or the other was made through public speeches, the holding of political rallies and meetings attended by influential leaders and chiefs in each community. This approach was normal since, as has already been pointed out above, in an area where illiteracy is high, written material is of relatively little value; furthermore, the high costs involved in the printing of such materials were not commensurate with the restricted financial

means of the political parties and out of all proportion to the results which could be obtained.

219. No major incidents were reported during the political campaign, which, as a whole, was remarkably calm and orderly. However, as the tempo of party activity accelerated, it was not uncommon for the supporters of one or the other plebiscite alternative to obstruct public rallies of their opponents in an attempt to silence the speakers by heckling and shouting. This occurred particularly when campaigners ventured into areas where the majority of the population supported the opposite view. On these occasions too, political organizers found it difficult to attract large audiences to their rallies. This gave rise to charges from both sides that the people were being advised to boycott the meetings.

220. When referring to the political situation in the Southern Cameroons and the campaign conducted by the political parties, it is not possible to ignore the high degree of suspicion which parties and their leaders generated toward one another. Whether for tactical reasons or otherwise, there was a constant tendency to accuse the other side of machinations and plots which, after investigation, proved to be unfounded in the great majority of cases. Although any political campaign engenders feelings of distrust between opposing groups, the degree of suspicion prevalent in the Southern Cameroons seemed to be uncommonly high.

221. The effect of the campaigns conducted by the different political parties is difficult to evaluate. It was generally agreed that the great majority of those attending political meetings were already sympathetic to the views of the speaker, and therefore, little, if any, effort was required to persuade them to vote in favour of the alternative supported at the rally. However, the meetings served to generate enthusiasm and to urge those present to convince others in the community to vote for the same alternative. In this connexion, it is recalled that during the early preparatory stages of the plebiscite, questions were frequently addressed to Observers and plebiscite staff concerning the absence of a third alternative, namely, that calling for the Territory's outright independence. While there was undoubtedly at that stage a desire for such an alternative among a considerable segment of the population, this question was heard with less frequency as polling day drew closer. By the time the political campaign had gathered momentum during the second part of January, little, if anything, was said about it, except by such small and largely localized parties as the CIP, KUP and CCC.

222. The majority of the traditional chiefs in the Southern Cameroons were guarded in their pronouncements regarding the plebiscite and, as a rule, asserted publicly that their role placed them above party politics. Nevertheless, their sympathies for one or other alternative became more or less well known as the campaign wore on, and there is no doubt that they exerted a powerful influence over the people. In this connexion, it should be noted, however, that parallel to their authority, there has been a progressive growth of the Governmental structure. As a result, the power and influence of the elected representatives has been increasing. This has made it necessary both for the traditional chiefs and the elective office holders to seek frequent accommodation of views.

223. The Premier and the Ministers in the Southern Cameroons Government, as well as the other elected members of the House of Assembly, played an active

role in the plebiscite campaign, particularly in their own constituencies. Some of them, like the Premier and the Leader of the Opposition, toured the Territory and campaigned in all the Divisions of the Southern Cameroons.

224. The KNDP had a well organized and extensive party machinery throughout the Southern Cameroons. Being the party in power, it enjoyed the advantages which derive from such a situation, and it capitalized on the prestige and pre-eminence naturally associated with the exercise of authority.

225. For its political campaign, the KNDP was able to mobilize a large number of organizers and speakers who could be relied upon to adhere more closely to the scheduled programme of lectures and meetings than those of any of the other parties. Moreover, it began campaigning ahead of other political groups and placed at the disposal of party leaders and political campaigners a sizeable number of vehicles equipped with loud-speakers as well as other transport. Although the KNDP was active in all Divisions of the Southern Cameroons, it concentrated its main efforts in the Bamenda highlands, which were not only the home grounds of the Premier and a number of his Ministers, but which also included the most heavily populated area of the Southern Cameroons.

226. Very few posters or printed material were used by the KNDP. Amongst these was a poster claiming that a vote for Nigeria meant the domination of Cameroonians and the occupation of the Southern Cameroons by the Ibos (the predominant tribal group of the Eastern Region of Nigeria). A pamphlet entitled "United Cameroons—Federal Constitution by KNDP" enjoyed wide circulation and contained the proposed constitutional arrangements in the event the Southern Cameroons joined the independent Republic of Cameroun, submitted by Mr. Foncha to President Ahidjo at their meeting in Douala on 20 and 21 December 1960. Paragraph 3 of the text provided that "It is at this juncture, therefore, only possible to indicate in broad outline what the Southern Cameroons and the Republic of the Cameroun have agreed are the basic provisions of a Federal Constitution." This quotation gave rise to a protest from the CPNC, which charged that the constitutional proposals contained in the pamphlet had not been agreed upon between the Southern Cameroons and the Republic of Cameroun. The pamphlet was subsequently withdrawn and the KNDP issued a corrected version of the pamphlet with the title changed to "United Cameroons—Federal Constitutional Proposals by KNDP", and the text of paragraph 3 was amended to read that the proposed outline indicated "what the KNDP considers are the basic provisions of the Federal Constitution".

227. The KNDP also printed a four-page newspaper called *The Kamerun Times* which began to appear more regularly with the start of the political campaign than in the past and carried editorials, articles and news items in support of the alternative favouring union with the Republic of Cameroun.

228. By and large, however, the party relied on public lectures to reach the electorate. Speakers followed a common pattern stressing, amongst others, the following points: (a) to join the Republic of Cameroun meant unification of all the Cameroons as a national state, independence from both the Commonwealth and the French Community and freedom from the Ibo domination; (b) to join Nigeria meant the continuation of

the influence of the Commonwealth and the domination of the Cameroonians by the Ibos; (c) the Germans had done a great deal for the Southern Cameroons, but little progress had since been made during some forty years of British administration; (d) the Southern Cameroons was too small to resist domination by Nigeria, if the Territory decided to join the latter and, by joining Nigeria, the Southern Cameroons would lose its identity.

229. Playing on the antagonism against the Ibos, who control a good part of the small trade, the transportation business and other economic enterprises in the Southern Cameroons, and who hold a fair proportion of the skilled jobs in agriculture and industry, the KNDP was able to score effectively in the campaign. However, of equal, if not greater, significance was its appeal to the emotions of the electorate by stressing the point that the plebiscite offered an opportunity of realizing the national identity of the Cameroons through reunification with their kin in the Republic of Cameroun.

230. KNDP campaigners also made determined efforts to discredit the plebiscite officials and the enlightenment campaign which was being conducted on the basis of the official publication entitled *The Two Alternatives*, by claiming that these officials were biased in favour of Nigeria.

231. Prior to the start of the political campaign the CPNC's National Executive Committee had, at a meeting held in Kumba on 11 December 1960, adopted a resolution in which reference was made to the rejection by the KNDP of a CPNC compromise proposal calling on the two parties to abandon their individual stands, and to demand jointly independence for a separate Southern Cameroons state without a plebiscite. This compromise proposal represented a major change in CPNC policy which, until then, had been directed toward the eventual merger of the Southern Cameroons, as a separate region, with the Federation of Nigeria. A further major change was revealed in the final paragraph of the same resolution, wherein the CPNC announced that "in the event of a vote in favour of the Cameroun Republic the CPNC . . . will request unconditionally that the United Nations *partition* the territory between the group of persons desiring a union with the independent Federation of Nigeria and those seeking a union with the Cameroun Republic . . ."

232. Shortly thereafter, however, the CPNC published its campaign booklet entitled *Plebiscite Message to all Voters of the Cameroons*, which did not refer to the partition proposal, but presented ten reasons "why the CPNC is asking all voters of the Southern Cameroons to vote for Union with Nigeria". It suggested that by joining Nigeria, the Territory would be a self-governing Region within the Federation, the House of Chiefs would not be abolished, and the system of land ownership without European settlers would be preserved. It also stated that the existing monetary system would be retained, freedom of association, speech and religion would be guaranteed, and the existing legal and judicial systems would remain unchanged. Moreover, the Southern Cameroons would continue to share in the economic prosperity of the Federation of Nigeria and would enjoy full independence. It concluded by questioning the sincerity of the KNDP's motives for unification and by stating that "the CPNC has complied with the United Nations plebiscite resolution by presenting the people concrete constitutional proposals under which union with Nigeria will be based . . ." and

that the KNDP's failure to do so would inevitably result in a United Nations decision "to regard all votes cast for the Cameroun Republic at the plebiscite, as *null and void*". Arguments were produced in each case which, in the view of the CPNC, militated against a vote for union with the Republic of Cameroun. This booklet was the CPNC's official guide for its organizers and speakers throughout the plebiscite campaign.

233. Later in the campaign a number of leaflets and posters were displayed, one of which called on the population to "Choose Green and Remain British—White is French". When this leaflet reached me I addressed a letter on 2 February 1961 to the Plebiscite Administrator, asking him to request the CPNC to withdraw it on the grounds that it was misleading since the alternatives in the plebiscite referred only to the Federation of Nigeria, on the one hand, and to the Republic of Cameroun, on the other. Similarly, I requested the withdrawal of a poster which appeared at about the same time, depicting a soldier, wearing a helmet labelled "UNO", cutting the map of the Southern Cameroons with a sword, on the grounds that its distribution gave rise to misrepresentation concerning the position of the United Nations in the plebiscite. In neither case did my intervention result in the withdrawal of the publications in question, since the period remaining before polling day was too short to permit effective action to be taken.

234. The CPNC also circulated a number of other posters and published a newspaper, *The Cameroons Champion*. However, the CPNC, like the KNDP, relied largely on public meetings and rallies to appeal for support, but the fact that the CPNC began its campaign later than the KNDP and other political parties, placed it at once at a disadvantage. With its strength mainly anchored in Victoria, and parts of the Kumba and Mamfe Divisions, its following in the populous Divisions of the Bamenda highlands was generally weak and it was in that area where it had to make determined efforts if it was to overcome the apparent advantage enjoyed elsewhere by the KNDP. In this the CPNC did not succeed, partly because it started too late to press its campaign, which was less effectively organized than the KNDP's and partly because the KNDP commanded considerable political strength in the Bamenda highlands. Moreover, the CPNC had little following among the traditional chiefs of that area whose support was a virtual prerequisite to political success. It therefore had to limit itself in many areas to conducting a door to door campaign which was infinitely less effective than the large political rallies and meetings. Towards the end of the campaign, CPNC campaigners and party functionaries complained with increasing frequency that they had been prevented by local chiefs from lecturing and speaking in public places, that their political rivals had used threats of intimidation to keep people from attending public meetings, that some of them had in fact been broken up and campaign posters torn down by their opponents and that the police had shown partiality. While there is reason to believe that some of these charges were justified, complaints submitted to the authorities frequently lacked specific data on the basis of which investigations could be made. In other cases, petitioners waited until a few days before the plebiscite to make their charges, by which time it was usually too late to take effective action.

235. The OK party strongly supported the alternative for joining the Republic of Cameroun, consistent with the views which it had maintained since its estab-

lishment favouring "independence and re-unification of the Kamerun". However, it conducted its campaign independently of that of the KNDP.

236. The party, through its Secretariat in Kumba Town, in the Southern Cameroons, issued several mimeographed sheets and press releases, urging the people to vote for the second alternative. The plebiscite, it was stated, was the Cameroonians' "last resort by which (they could) return or surrender (their) identity".

237. The main effort of the OK party, as in the case of the other political organizations in the Territory, was exerted through its organizers and speakers, whose activities increased very noticeably towards the end of January and the beginning of February. In their speeches, OK speakers attacked the alternative for joining the Federation of Nigeria as constituting a continuation of the "imperialistic relationships" with the Commonwealth. The OK was in favour, they asserted, of a republic which would be entirely cut off from any political association with the "colonial Powers".

238. After the plebiscite and in the event the vote favoured the second alternative, the OK envisaged an "all Kamerun Constitutional Conference" composed of all political parties in the Southern and the Northern Cameroons and the Republic of Cameroun. The conference would be held immediately after the plebiscite and be directed and assisted by the United Nations. It rejected any and all suggestions for a gradual integration and advocated immediate reunification with the Republic of Cameroun.

239. The other political parties played no major part in the campaign and confined their activities to a few localized areas.

## Chapter X

### Preparations for polling

#### A. THE SOUTHERN CAMEROONS PLEBISCITE (POLLING) REGULATIONS, 1960

240. On 1 November 1960 the Plebiscite Administrator transmitted to me for any observations I might have, a copy of the draft Southern Cameroons Plebiscite (Polling) Regulations, 1960.

241. This document had four Parts. Part I (Preliminary) defined the terms used in the remaining three Parts.

242. Part II (Procedure at Plebiscite) contained regulations 3 to 31. Regulations 3 to 5 provided respectively for notices of the plebiscite to be given by the Plebiscite Administrator, delegation of authority to officers, and appointment of polling stations. Regulation 6 dealt with officers at polling stations and their functions. Regulation 7 provided for the erection of screened voting compartments and facilities to be furnished to each polling station. Regulations 8 and 11 laid down the manner in which ballot boxes were to be constructed and placed in the voting compartment. Regulations 9, 12 and 13 provided for the form, issuance and marking of ballot papers. Regulation 10 prescribed the conditions under which polling agents were to be appointed by political parties that favoured either of the alternatives in the plebiscite. Regulations 14, 15, 16, 17 and 18 provided respectively for questioning of voters at the request of a polling agent, marking of the voter's knuckles before voting, manner of recording of votes, prohibition of marking ballot papers, and delivery of a

fresh ballot paper to voters who had accidentally spoiled a ballot paper. Regulation 19 provided for the manner in which blind and any other disabled persons were to cast their vote. Under regulation 20, no vote could be recorded by a voter except by his attendance in person at the polling station and by recording of his vote therein. According to regulation 21, no person was permitted to vote at a polling station other than the one to which he was allotted, and regulation 24 established as an exception to this principle special facilities for certain officers carrying out duties in relation to the plebiscite. Regulations 22 and 23 provided for the deployment of officers in stations other than those at which they were entitled to vote and for the release of officers on duty for the casting of votes. Under regulations 25 and 27 if a polling agent declared that a person applying for a ballot paper had committed an offence of impersonation and undertook in writing to substantiate the charge in a court of law, the Presiding Officer could order the arrest of that person, and the arrest so made was to be deemed an arrest for which no warrant was necessary. Regulation 26 provided that when a declaration as to impersonation had been made against a person applying for a ballot paper, such person was not to be prevented from voting, but the Presiding Officer was to cause the words "protested against impersonation" to be placed against that name in the register of voters. Under regulation 28, if a person representing himself to be a voter named in the register of voters applied for a ballot paper after another person had voted in such name, the applicant was, after answering satisfactorily questions put to him by a Polling Officer, entitled to receive a ballot paper of a colour different from the ordinary ballot paper (called "tendered ballot paper"), which was to be endorsed by the Presiding Officer with the name of the voter and his number in the register. The "tendered ballot paper" was to be placed by the Presiding Officer in a separate envelope chosen by the voter from two separate envelopes, each corresponding to the colour of the appropriate ballot box. The name of the voter and his number in the register were to be entered on a list called "the tendered votes list". Regulations 29, 30 and 31, respectively, gave authority to the Presiding Officer to regulate the admission of voters to the polling station and to exclude persons other than those specified therein, and provided for the removal of persons misconducting themselves, and for adjournment of voting and the taking of certain precautionary measures in the event of interruption or obstruction of proceedings by riot or violence.

243. Part III (Termination of Plebiscite, Counting, etc.) contained regulations 32 to 45. Regulations 32 and 33 provided, respectively, for the closing of the polling station at the prescribed hour and for the method of dealing with ballot boxes and plebiscite papers. Regulations 34 to 41 concerned the appointment of polling agents by the political parties favouring either of the alternatives in the plebiscite; the counting of votes; the method of counting; the preparation of a statement of rejected papers by the Returning Officer and his authority to make a final decision on any question arising in respect of ballot papers; the method of dealing with plebiscite papers at the conclusion of the counting of the votes; and the recount of votes at the request of a counting agent. Regulations 41 to 45 dealt with the declaration of the result of the voting; the custody until a specified date of all documents relating to the conduct of the plebiscite; the secrecy of vote; and the attend-

ance of United Nations Observers and other persons at the proceedings.

244. Part IV (Plebiscite Offences) comprised regulations 46 to 63. It dealt with various offences known ordinarily by name in election laws, such as personation, treating, undue influence, bribery, dereliction of duty by officials, and illegal practices. Other offences related to acts done in respect of ballot papers; breach of secrecy of voting by plebiscite officials, polling and counting agents and other persons; voting by an unregistered person; disorderly conduct and other offences on polling day; improper use of vehicles; attempts to mislead the public in relation to matters provided for under the regulations, and display of emblems in the vicinity of place of voting.

245. In the discussions on the draft regulations which I had with the Plebiscite Administrator, I raised several points that seemed to deserve consideration. I noted that if the definition of "United Nations Observer" were to be interpreted narrowly, "a person appointed to observe the plebiscite" might not mean a person on my headquarters' staff, inasmuch as such a person would not have been appointed to observe the plebiscite but rather would have been appointed to assist me in performing the functions in general with which I had been entrusted by the General Assembly. This, of course, might have the consequence of limiting the actual number of persons available to observe voting and counting on polling day to the ten Observers assigned to the Southern Cameroons. I suggested that a more comprehensive definition of a "United Nations Observer" for the purpose of United Nations supervision on polling day would be "a person appointed to assist the United Nations Plebiscite Commissioner in observing the plebiscite on behalf of the United Nations". This definition was accepted by the Plebiscite Administrator, as well as a definition of the "United Nations Plebiscite Commissioner" which I proposed. This term had inadvertently been left undefined in the draft regulations.

246. For the appointment of polling agents, "the party or parties in favour of either alternative" were, under regulation 10, to be informed by the Plebiscite Administrator that they might appoint such persons. In the light of political circumstances prevailing at that time and the emergence of a body of opinion that dissociated itself from either alternative in the plebiscite, I felt that the terms of regulation 10 were too restrictive. While it was true that in elections only contending candidates were generally allowed to appoint polling agents, no such considerations could be applied to a plebiscite. I could see nothing in the relevant General Assembly resolution that would authorize the exclusion from the observation of the polling of any party with a legitimate interest in the outcome of the plebiscite. Similar considerations applied of course to the appointment of counting agents which was, under regulation 34(1), subject to the same limitation. Appropriate changes, reflecting the views I had expressed, were made by the Plebiscite Administrator in regulations 10 and 34(1).

247. Regulation 28 provided that a "tendered ballot paper" had to be endorsed by the Presiding Officer with the name of the voter and his number in the register. Further, the "tendered ballot paper" was to be "set aside by the Presiding Officer in the polling booth in accordance with the wishes of the person voting in one of a number of separate packets, each of which

shall correspond to the colour of the appropriate ballot box". I found the first of these steps objectionable in principle, since if the ballot paper had the name of the voter on the back it was clear that the secrecy of vote might easily be violated. Secondly, from a practical point of view, placing the tendered ballot paper in the packet of the voter's choice instead of in the ballot box seemed to open the way to confusion or foul play, as the two packets had to be moved to the polling booth for the voting and tendered ballot papers already in the packets could, in doing so, be dropped or removed from one packet to the other.

248. After discussing the matter with the Plebiscite Administrator, it was agreed that the tendered ballot paper would be endorsed by the Presiding Officer with the number of the voter in the register but not with his name. It would then be placed under conditions of secrecy by the Presiding Officer in one of the two separate packets each corresponding to one of the alternatives in the plebiscite, in accordance with the wishes of the voter. In the "Instructions to Presiding and Polling Officers" issued at a later date, the Plebiscite Administrator suggested that for the purpose of having the voting "under conditions of secrecy", the Presiding Officer would accompany the voter into the searching compartment where the tendered ballot would be cast (i.e., the room where the voter could be searched if it was suspected that he came to the polling station carrying a ballot paper on his person).

249. Regulation 17(1) provided that "a voter shall not place on the ballot paper any writing or mark by which he might be identified". I enquired from the Plebiscite Administrator what the effect of non-compliance with this regulation would be. Regulation 36 provided for the method of counting and although it specified that certain ballot papers were not to be counted, it did not mention the ballot papers with writings or marks referred to in regulation 17. The question, then, arose of whether ballot papers under regulation 17 were to be considered invalid. The Plebiscite Administrator pointed out that there was no simple answer to this question in view of the difficulty of determining whether a given mark was sufficient to identify a voter. In some cases, a cross or any other mark known only to a few persons could be used to reveal to counting agents or officers the membership of a voter in a specific group. Only where a mark was beyond doubt a distinctive mark could it be said that the ballot paper bearing it should not be counted as being invalid. On the other hand, if this determination had to be made at the time of counting, it might not only take time, but generate controversies. In order to obviate possible uncertainties and complications, the Plebiscite Administrator agreed to instruct Presiding and Polling Officers to warn voters before voting not to place any mark or writing on the ballot papers delivered to them.

250. A question not dissimilar in substance to that relating to regulation 17, but of more far-reaching implications, arose from the provision in regulation 36(3). This provision read as follows: "Any ballot paper so mutilated that the intention of the voter cannot be known shall not be counted".

251. At the time the discussions on the draft Polling Regulations were taking place, a political party (CCC) was advocating the voting by a torn ballot paper with the intention of manifesting rejection of either question put to the voters in the plebiscite. This party further

advised the people to carry the other half of the torn ballot paper out of the polling booth and hand it over to the Secretary-General of the party. In accordance with normal election principles and precedents, taking or attempting to take a ballot paper out of the polling station constituted an offence under regulation 55(1) (b) of the draft Regulations. Yet, the mutilation of the ballot paper advocated by that party, if carried out, would have made the meaning of regulation 36(3) uncertain because that regulation required that in order for a mutilated ballot paper to be invalid the mutilation had to be such that the "intention" of the voter could not be known. In view of the circumstances, it was agreed with the Plebiscite Administrator to redraft regulation 36(3) as follows: "No mutilated ballot paper shall be counted as a valid vote unless the mutilation appears to be accidental, on which the decision of the Returning Officer shall be final".

252. In connexion with the manifesto put out by the same political party after the draft Polling Regulations had been finalized, the Plebiscite Administrator addressed a letter to the Deputy Commissioner of the Southern Cameroons on 12 November 1960. In this letter, the Plebiscite Administrator referred to the agreement reached between himself, the Attorney-General, myself and members of my staff in regard to the provisions of regulations 36(3) and 55(1) (b). He then added "We considered that mutilation of a ballot paper, by tearing it in half, might be a permissible way of expressing dissatisfaction with the two questions which are to be put in the plebiscite by persons who feel themselves dissatisfied, but that the retention by a voter of either a whole or a torn ballot paper could lead to corruption and other forms of abuse, and should not be permitted". He concluded by suggesting to the Deputy Commissioner that the section of the CCC's manifesto exhorting voters to tear a ballot paper and keep half of it, should be corrected because, as it stood, it could be regarded as incitement to commit an offence.

253. Other changes were made in the draft regulations, including an addition to regulation 12(3) (concerning search of a voter to ensure that no ballot paper was already in his possession) to the effect that "no person shall be searched by a member of the opposite sex".

254. The Polling Regulations, as agreed upon, were published in the *Southern Cameroons Gazette* No. 60, Volume 6, of 14 December 1960 as Southern Cameroons Plebiscite (Polling) Regulations, 1960.<sup>22</sup>

255. The Plebiscite Administrator, by a directive to Assistant Plebiscite Administrators of 3 February 1961, called their attention to the fact that the Southern Cameroons Plebiscite (Polling) Regulations, 1960 did not make it an offence to destroy, mutilate, deface, remove or alter notices or documents required to be made under the provisions of those Regulations. He stated, however, that according to the advice received from the Attorney-General of the Southern Cameroons, damage to plebiscite notices and posters could be dealt with adequately under sections 451 and 442 of the Criminal Code. According to these provisions, it is an offence to damage or destroy any property and the term "damage" in relation to a document, or to any writing or inscription, includes obliterating or rendering it illegible, either in whole or in part.

<sup>22</sup> See annex IX.

## B. DATE OF THE PLEBISCITE

256. Article 2(2) of the Southern Cameroons Plebiscite Order in Council, 1960, provided that "the plebiscite shall be held on a day or days to be fixed by the Commissioner of the Southern Cameroons by notice published in the *Official Gazette of the Southern Cameroons*, not being within the period of twenty-eight days after the publication of the notice, and voting for the purpose of the plebiscite shall take place during such hours as may be specified in the notice".

257. The reasons for conducting polling simultaneously in the Northern and Southern Cameroons plebiscites are given in paragraph 553 below. As there were no overriding considerations militating in favour of an additional polling day in the Southern Cameroons, the original date set for polling on 11 February 1961 was maintained and notice to this effect was given by the Commissioner of the Southern Cameroons in Southern Cameroons Notice No. 6, published in Gazette No. 1 of 7 January 1961. Notices announcing the date of the plebiscite and the hours during which voting would take place, namely, between 8 a.m. and 5 p.m., were widely circulated throughout the Territory. The Commissioner of the Southern Cameroons, following consultations with the Executive Council, appointed 11 February 1961 to be a public holiday throughout the Southern Cameroons, and sent a circular to all government departments and agencies directing that every facility, without loss of earnings or other benefits, was to be given to all government officials and employees to enable them to cast their votes in the place where they were registered for the plebiscite, even if this involved several days absence from work.

## C. PRINTING OF BALLOT PAPERS

258. It was stipulated in Regulation 9 of the Southern Cameroons Plebiscite (Polling) Regulations, 1960 that every ballot paper should be in a form prescribed by the Plebiscite Administrator and should (a) have a serial number printed or stamped on the back and (b) be attached to a counterfoil bearing the same serial number as that printed or stamped on the back of the ballot paper.

259. I was advised by the United Kingdom Mission to the United Nations on 6 June 1960 that arrangements were being made for the printing of the ballot papers in the United Kingdom and that I would be informed as soon as possible when the printing was to take place so that arrangements could be made for a United Nations Observer to attend. I was also informed that the Southern Cameroons Plebiscite Administrator had approved the method of printing and design of ballots for the Southern Cameroons plebiscite and had, on 27 September 1960, placed the order for printing the ballots with Caster and Co. Ltd. of Peterborough, England, with the stipulation that a United Nations Observer was to be present throughout all phases of the production and packaging, and that proofs were first to be submitted for the approval of the Plebiscite Administrator before the actual printing of the ballots was to commence.

260. On 7 October 1960, I appointed Mr. Allen Chang to supervise the printing of the proofs. On 17 October 1960, Mr. Chang reported to me that his task had been satisfactorily completed. In accordance with instructions issued by the Plebiscite Administrator, the proofs had unique characteristics designed to ensure

that they could not be reproduced in the Trust Territory or in adjoining countries.

261. As soon as the Plebiscite Administrator had approved the proofs, he issued instructions to the printers to proceed with the printing, subject to the arrival of a United Nations Observer at the firm's premises. Mr. Abdel S. Dajani was appointed to supervise on my behalf the printing, packaging and shipping of the ballot papers under conditions that would ensure their security at all times, and specific instructions to this effect were given to him in writing.

262. The Observer reported to me that the actual printing was begun at the firm's premises on 25 October 1960 and was completed on 17 November 1960, and that all stages of the operation from start to finish were carried out under his direct and continuous supervision.

263. The Observer reported that he was satisfied that no printing had taken place prior to his arrival at the printers on 25 October 1960, and that the text which had to be imprinted was kept under seal at all times until his arrival. He also reported that, as a special mark, five printing errors were introduced in the background of the ballot and tendered ballot papers. After the printing was completed, he destroyed all type and plates used in the printing, and burned the photographic negatives and all remaining copies and paper spoilage. A total of 600,000 ballot papers, in books of 50 each, and a total of 60,000 tendered ballots, in books of 10 each, were printed, in accordance with instructions issued by the Plebiscite Administrator. They were packed in 60 boxes each containing 200 ballot books and 100 books of tendered papers, all of which were sealed and signed. On 18 November 1960, the 60 boxes were delivered, in the presence of the Observer, at Liverpool, and loaded aboard a vessel for shipment to Bota (Victoria).

264. On arrival of the vessel at Bota, on 30 November 1960, I appointed the United Nations Observer in Victoria to supervise the transfer of the sixty boxes from the vessel to the office of the Plebiscite Administrator. Under his supervision, the boxes were unloaded and transported by lorry under police escort to Buea where they were delivered to the Plebiscite Administrator for safekeeping. The ballots remained in Buea until a few days prior to the plebiscite.

265. I was completely satisfied that adequate security measures were taken at all stages in regard to the printing, packaging and shipment of the ballot and tendered ballot papers from beginning to end.

## D. COLOURS DISTINGUISHING THE ALTERNATIVES

266. Regulation 11 of the Southern Cameroons Plebiscite (Polling) Regulation, 1960 provided *inter alia* that each box should be painted with the colour allocated by the Plebiscite Administrator to a particular alternative on which a vote could be cast at the plebiscite.

267. During a meeting held in London on 7 September with officials of the Colonial Office, I pointed out that before the 1959 plebiscite in the Northern Cameroons local leaders had been consulted about the choice of symbols and colours and that I wished to be informed as to what symbols and colours were proposed and whether the local leaders had been consulted before their selection. I suggested also that consideration should be given to the question whether symbols and

colours should be the same in the Northern and Southern Cameroons plebiscites. Subsequently, on 3 October 1960, the United Kingdom Mission to the United Nations informed me that the Southern Cameroons Plebiscite Administrator had discussed the use of symbols and colours with the leaders of the two main political parties in the Southern Cameroons, namely, the CPNC and KNDP, but while they had objected to the use of symbols they had agreed on plain white and yellow as the colours to be used for identifying the two alternatives, subject to my concurrence.

268. On my arrival in the Territory, I discussed the question of the proposed colours with the respective Plebiscite Administrators for the Northern and Southern Cameroons plebiscites and, as I had had occasion to point out previously, I informed them that if representative political leaders were in agreement on the use of colours, I, for my part, would be fully satisfied. In the course of my discussions on this subject it emerged that the Northern Cameroons Plebiscite Administrator saw objections to the use of white and yellow in the Southern Cameroons, as those colours had been adopted to identify the two alternatives in the Northern Cameroons plebiscite in 1959. He felt that their use in the forthcoming plebiscite in the south might cause confusion in the minds of the people, particularly those living in areas bordering on the Northern Cameroons.

269. It was therefore agreed that another meeting of Southern Cameroons political leaders should be called to explain the situation to them and to obtain agreement on a new set of colours. In that meeting which was held on 28 October 1960, attended by two leaders each of the CPNC, the KNDP, the leader of the KUP, the Southern Cameroons plebiscite Administrator and myself, it was agreed that green should be the colour for the proposition favouring union with the Federation of Nigeria and white for the proposition favouring union with the Republic of Cameroun. A written agreement to that effect was signed on the same day by the political leaders in attendance.

#### E. BALLOT BOXES

270. Regulation 8 of the Southern Cameroons Plebiscite (Polling) Regulations, 1960 provided that the ballot boxes should be so constructed that a ballot paper might be put therein by a voter, but might not be withdrawn by him or any succeeding voter. On 17 November, Mr. Childs sought my views on the use of either of two types of ballot boxes. The first type was of metal and identical with the kind used in the 1959 Northern Cameroons plebiscite, as well as during the Federal elections held in Nigeria during December of 1959. The other type was of strong wood and could be manufactured locally. Previously, however, I had been given to understand that a fairly large number of keys fitting the metal-type boxes were to be found in Nigeria and that this fact posed, in the view of the Plebiscite Administrator, a serious security problem. On the other hand, the use of wooden boxes presented other security problems in that their construction and the method of securing their lids by the use of screws, although to be sealed with wax, might not entirely preclude the possibility of someone tampering with their contents. After careful consideration of the matter, I advised the Plebiscite Administrator by letter dated 18 November 1960, that I for my part would have preferred, for reasons of security, the use of metal boxes which would provide adequate safeguards for the ballots. If for lack of time,

however, as in fact he had intimated to me the previous day, he should find it impossible to procure such boxes, I relied on his good judgement to make an assessment as to which of the readily available types of boxes would afford the greatest degree of security. I also requested Mr. Childs to inform me of the measures he was contemplating for providing every reasonable safeguard for the contents of the boxes. The Plebiscite Administrator informed me subsequently that he had decided to use the wooden type of ballot box and that their design was such as to insure every reasonable security for their contents.

#### F. APPOINTMENT OF POLLING AND COUNTING AGENTS

271. *Polling agents.* Regulation 10 of the Southern Cameroons Plebiscite (Polling) Regulations, 1960, provided that, not later than 31 December 1960, any political party could request the Plebiscite Administrator to allow it to appoint polling agents for the purpose of detecting personation at the polls. It further provided that the Plebiscite Administrator, after consultation with the United Nations Plebiscite Commissioner, should, by notice in writing, inform each political party accepted by him as representative of a number of persons, sufficient to merit recognition, that it might appoint polling agents. Such notice was to specify the number of polling agents the party might appoint but would not provide for more than two polling agents to be appointed by the party for any one polling station.

272. Notice was given to political parties of this provision and the rights they could exercise under it in press release No. 2001 of 7 December 1960 of the Southern Cameroons Information Service in Buea, which was sent by letter to all political parties in the Southern Cameroons.

273. In response to this notice, five parties applied for the right to appoint polling agents, namely, the CPNC, the KNDP, the CCC, the CMC and the OK. In each case, following consultation with me, the Plebiscite Administrator informed each of these parties that they might appoint polling agents to be present at the polling stations throughout the Southern Cameroons for the purpose of detecting personation on the day of the plebiscite, but that not more than two polling agents could be appointed for any one polling station. The Plebiscite Administrator also informed each party that a notice in writing would be required from the secretary of the party by not later than 28 January 1961, giving the names and addresses of the party's polling agents and of the polling station to which each agent had been assigned. These notices were to be submitted to the Assistant Plebiscite Administrator concerned. The Assistant Plebiscite Administrator would then issue each polling agent with an official appointment card which would authorize his admission to his assigned polling station. Each party was also informed that persons without appointment cards would not be accorded the facilities of polling agents. Finally, each party was informed that if a polling agent died or became incapable of acting as such, the party could appoint another polling agent in his place and that the new agent's name and address should at once be given to the Assistant Plebiscite Administrator in the same manner as above.

274. Following the receipt of these letters, the parties concerned submitted names of polling agents in respect of polling stations in the various districts, a numerical summary of which is given below:

Plebiscite District		No. of		KNDP	CPNC	CCC	CMC	OK
		Polling Stations	Polling Booths					
Victoria	1. South-West .....	13	21	42	42	—	—	23
	2. South-East .....	10	18	36	35	—	—	17
	3. North-West .....	12	27	54	54	—	—	19
	4. North-East .....	26	37	68	72	—	—	42
Kumba	5. North-East .....	45	58	115	103	—	—	63
	6. North-West .....	43	45	83	79	—	—	35
	7. South-East .....	38	59	102	67	—	—	35
	8. South-West .....	15	16	30	30	—	—	12
Mamfe	9. West .....	25	34	51	25	—	—	5
	10. North .....	36	37	47	38	—	—	5
	11. South .....	21	24	42	21	—	—	5
	12. East .....	22	32	42	22	—	—	16
Bamenda	13. North .....	51	69	102	102	—	82	—
	14. East .....	42	48	86	46	—	47	51
	15. Central West .....	37	45	74	74	—	14	43
	16. Central East .....	43	49	94	57	—	10	70
	17. West .....	32	45	66	62	—	20	27
	18. South .....	35	44	78	57	—	—	47
Wum	19. North .....	25	29	27	32	—	—	9
	20. Central .....	20	22	27	38	—	—	6
	21. East .....	21	34	42	40	—	—	1
	22. West .....	21	22	23	39	—	—	17
Nkambe	23. North .....	19	25	40	38	—	—	—
	24. East .....	26	32	53	51	—	—	—
	25. Central .....	16	29	30	29	—	—	—
	26. South .....	21	27	26	38	—	—	—

On 4 February 1961, the Plebiscite Administrator issued a circular<sup>23</sup> entitled "Notes for the guidance of polling agents", setting forth the rights and duties of Polling Agents before, during and after polling, and in several districts Returning Officers briefed Polling Agents and replied to questions put to them.

275. *Counting agents.* Regulation 34 of the Polling Regulations provided that each political party which had been informed that it might appoint polling agents could appoint no more than two persons as counting agents to attend the counting of the votes. It also provided that notice in writing of the appointment, stating the names and addresses of the counting agents, should be given by the secretary of the party, or other person authorized by him, to the Returning Officer not later than one day before the date of the plebiscite and that the Returning Officer could refuse to admit to the place where the votes were being counted any person purporting to be a counting agent in respect of whom no such notice had been given. It also provided that if a counting agent died or became incapable of acting as such, the party might appoint another counting agent in his place and the secretary of the party, or another person authorized by him, should immediately inform the Returning Officer of the name and address of the other person.

276. The parties concerned appointed the following numbers of counting agents to be present at the respective counting centres:

Counting centres	KNDP	CPNC	CCC	CMC	OK
Victoria .....	2	2	—	—	2
Buca .....	4	4	—	—	4
Kumba .....	8	8	—	—	8
Mamfe .....	2	2	—	—	—
Bekebe .....	2	2	—	—	—
Bamenda .....	12	12	—	12	12

<sup>23</sup> See annex XII.

Counting centres	KNDP	CPNC	CCC	CMC	OK
Wum .....	2	2	—	—	2
Nkambe .....	2	2	2	—	—
Mbem .....	2	2	—	—	—

277. While the counting agents were specifically precluded, by virtue of regulation 35 (2), from assisting in the counting of the votes, counting agents could, in accordance with regulation 40, if present when the counting or any recount of the ballot papers was concluded, require the Returning Officer to have the votes recounted or again recounted, but the Returning Officer had the power to refuse to do so if, in his opinion, the request was unreasonable.

#### G. POLLING AND COUNTING STAFF

278. Regulation 4(1) of the Southern Cameroons Plebiscite (Polling) Regulations, 1960, provided that the "Plebiscite Administrator shall direct for which area or areas Assistant Plebiscite Administrators, Returning Officers, Assistant Returning Officers, Presiding Officers and Polling Officers shall exercise their functions and he may delegate to Assistant Plebiscite Administrators such power in respect of Returning Officers and Polling Officers". In accordance with this provision the Plebiscite Administrator issued appropriate directions in respect of Assistant Plebiscite Administrators and delegated to them power to designate in which areas Returning Officers, Assistant Returning Officers and polling staff should exercise their functions.

279. *Assistant Plebiscite Administrators.* Regulation 4(2) of the Southern Cameroons Plebiscite (Polling) Regulations, 1960, provided that "any Assistant Plebiscite Administrator shall have all the powers and may perform any of the duties of the Plebiscite Administrator under these regulations" and in accordance with this provision Assistant Plebiscite Administrators made all arrangements for polling in their respective areas.

280. *Returning Officers.* The appointment of 26 Returning Officers was published in Southern Cameroons Notice No. 8 of 7 January 1961 and was effective from 23 December 1960. These officers were responsible for carrying out the functions assigned to them under the Southern Cameroons Plebiscite (Polling) Regulations, 1960. They were responsible for training polling staff and the supervision of all phases of polling and counting in the twenty-six plebiscite districts of the Southern Cameroons.

281. *Assistant Returning Officers.* By Southern Cameroons Notice No. 9 of 7 January 1961, the office of Assistant Returning Officer was created and the Plebiscite Administrator was empowered to make appointments thereto. By virtue of regulation 4(2) appointments were made by the Assistant Plebiscite Administrators. Assistant Returning Officers, among them a number of Cameroonians, were placed in charge of several polling stations or of a single large polling station having several polling compartments or booths.

282. *Presiding and Polling Officers* were all Cameroonians and were drawn mainly from among the staff of Government Departments, Native Administrations and schools. In the rural areas school-teachers supplied a high proportion of the polling staff. Presiding and Polling Officers were carefully briefed in their duties. Many of them had had previous experience of the polling procedure in elections for the Southern Cameroons House of Assembly and had also served as Assistant Registration Officers. Briefing courses were conducted by Returning Officers at the various plebiscite district headquarters, and apart from verbal tuition, polling staff received detailed written instructions which were contained in a booklet entitled "Instructions to Presiding and Polling Officers".<sup>24</sup> These instructions provided information in concise and simple terms concerning their duties in relation to the Polling Regulations.

283. *Polling Marshals.* A total of 2,014 Polling Marshals were appointed, on an average of two for each polling station. They were recruited from among retired policemen and soldiers, government office messengers, Native Authority messengers and persons of good local repute. They wore armbands and carried appointment cards; while on duty they had all the powers of a police constable under law. Their duties during polling were to control the admission of voters to the polling stations, to maintain order inside the polling stations, and generally to carry out the lawful orders given to them by the Presiding Officer. Apart from their polling duties they also escorted the ballot boxes after the poll to the points where they were handed over by the Presiding Officers to the Returning Officers.

284. *Appointment cards.* Presiding and Polling Officers and Polling Marshals were issued with appointment cards and carried them when on duty; Assistant Returning Officers carried letters of appointment.

#### H. POLLING STATIONS

285. Regulation 5 of the Southern Cameroons Plebiscite (Polling) Regulations, 1960 provided that:

"(1) The Plebiscite Administrator shall appoint a sufficient number of polling stations in each plebiscite district and allot the voters in the plebiscite district to the polling stations.

"(2) The Plebiscite Administrator shall appoint at least one polling station in respect of each registration area and shall allot the voters in such registration area to the appropriate polling stations;

"Provided that the Plebiscite Administrator shall, as far as appears to him to be practicable, ensure that not more than five hundred voters are required to vote at any one polling station."

286. In accordance with these provisions, 715 polling stations with 928 booths were provided for a total of 349,652 registered voters which gave an average of one booth to 376 voters. No legal distinction was made between a "polling station" and a "polling booth". The latter was a term used to describe a polling facility within a large polling station catering for, say, 1,500 voters. Each "booth" was a self-contained unit having its own staff and ballot boxes. In the larger voting centres it was more convenient to have this type of organization, the ratio of one "booth" to approximately 500 voters being maintained.

287. Polling stations were sited by the Presiding Officers at the direction of the Returning Officers. During their briefing, Presiding and Polling Officers were informed where their polling stations were to be sited and to what extent they would be responsible for their construction. Wherever possible, public buildings, such as Native courts, churches or schools were used. In these buildings screened voting and searching compartments were provided. Where no suitable buildings were available, polling stations were constructed in the open. These comprised fences for crowd control and screened voting and searching compartments made from local materials such as palm leaves, matting or grass.

288. In the Kumba and Victoria Divisions prefabricated polling booths, consisting of a frame covered with cloth were used extensively. Polling stations were built to a standard pattern which was explained to Presiding Officers during briefing.

289. Presiding Officers were responsible for equipping polling stations in accordance with a standard list of materials which were supplied to them during briefing.

#### I. COUNTING CENTRES

290. A matter which was of some concern to me related to the establishment of counting centres. The fact that a total of twenty-six districts had been established for purposes of the plebiscite made it obviously impossible to set up an equal number of counting centres if proper supervision over the counting of votes was to be exercised by the ten United Nations Observers who were stationed in the Southern Cameroons. Even if the counting of votes was to be staggered over four or five days, Observers would have been unable to fully assure themselves of the measures which had been taken to safeguard the boxes prior to counting and to supervise the handing over of boxes by polling staff to Returning Officers. Moreover, I felt that the establishment of twenty-six separate counting centres might create serious security problems which should be avoided at all costs. I was strengthened in my views by the expressed wishes of several parties, particularly the KNDP and CPNC, which submitted both written and oral requests to some of the United Nations Observers requesting that the number of counting centres should be kept relatively small, although I also received requests from the OK party that counting should be conducted at the registration area level. After lengthy dis-

<sup>24</sup> See annex X.

cussions with the Plebiscite Administrator, in which both his field staff and United Nations Observers were consulted on the practical aspects of finding the most suitable locations and accommodations, it was agreed to establish the following nine counting centres:

<i>Plebiscite district accommodated</i>	<i>Counting centre</i>
1. Victoria South-West .....	Victoria
2. Victoria South-East .....	
3. Victoria North-West .....	Buea
4. Victoria North-East .....	
5. Kumba North-East .....	Kumba
6. Kumba North-West .....	
7. Kumba South-East .....	
8. Kumba South-West .....	
9. Mamfe West .....	Mamfe
10. Mamfe North .....	
11. Mamfe South .....	Bakebe
12. Mamfe East .....	
13. Bamenda North .....	Mankon
14. Bamenda East .....	
15. Bamenda Central West .....	
16. Bamenda Central East .....	
17. Bamenda West .....	
18. Bamenda South .....	
19. Wum North .....	Wum
20. Wum Central .....	
21. Wum East .....	
22. Wum West .....	
23. Nkambe North .....	Nkambe
24. Nkambe East .....	Mbem
25. Nkambe Central .....	Nkambe
26. Nkambe South .....	

### *Chapter XI*

#### **Polling day**

291. The weather on polling day was fine throughout the Southern Cameroons. Long before the polls opened at 8 a.m. on 11 February large numbers of people were seen walking to the polling stations and by 7 a.m. many of these were already crowded with people eagerly waiting to cast their votes.

292. Presiding and Polling Officers had completed preparations for polling to take place at the appointed time including the sealing of the ballot boxes, their installation in the polling booths and the opening of the sealed envelopes containing the ballot papers. Throughout the day United Nations Observers, their number augmented by United Nations Headquarters staff whom I had designated as Observers for purposes of polling day, visited polling stations and witnessed the polling at no less than 330 out of a total of 715 polling stations. I myself visited several polling stations in the Victoria districts before leaving for Bamenda and Wum where I witnessed the voting in a number of localities. United Kingdom plebiscite staff provided coverage to polling stations within their respective plebiscite districts and assisted in correcting minor errors made by polling staff. Polling agents of political parties were present at most polling stations, although in some cases it was reported that fewer than their appointed number were in attendance. This was particularly true of CPNC polling agents in Wum, Nkambe and Bamenda. Voting was extremely heavy throughout the Territory and, generally speaking, by midday most of the eligible voters had cast their ballots.

293. Most of the problems encountered on polling day were of minor character and could be set straight without difficulty. In some cases, ballot boxes had been placed in the booths in reverse order. In other instances, it was found that registration cards bore the wrong serial numbers, and as a result, some persons were delayed until their names could be found on the register. In a few places voters, impatient to cast their votes, had broken down the barriers around the stations, but order was restored. In other places, local chiefs had seated themselves outside the polling stations, and were requested to move away in order to avoid giving the impression that their presence was intended to sway votes in one way or another. In several of the polling stations it was found that an insufficient number of ballot papers had been issued to Presiding Officers and additional supplies were rushed to them. Apart from these exceptions, I am satisfied that polling proceeded in an orderly manner and I am glad to report that not a single incident was reported by the United Nations Observers, the United Kingdom plebiscite staff or the police during and after polling.

294. Immediately after polling, the sealed ballot boxes and documents were brought by the Presiding and Polling Officers, accompanied by polling agents to designated collecting stations, handed over to the Returning Officers and subsequently locked up in a place of safekeeping. They remained under police surveillance until the count was actually begun.

295. The responsibility for guarding the boxes both of the collecting and the counting centres in Bamenda during the night of 11 to 12 February was entrusted to the army. This was a particularly delicate task in view of objections which had been raised by the KNDP and OK party to the employment of army personnel. However, the arrangements which were made, in consultation with the United Nations Observers for the guarding of the boxes by army personnel worked out to everyone's satisfaction.

### *Chapter XII*

#### **Counting of ballots and results of the plebiscite**

296. In accordance with instructions issued by the Plebiscite Administrator<sup>25</sup>, counting of votes cast in a plebiscite district did not begin until all ballot boxes used in the plebiscite district were assembled at the counting centre, or until there was a clear prospect of completing the count for the whole of each plebiscite district in a single uninterrupted process. Returning Officers were required to ascertain that all ballot boxes were properly sealed, to deal with ballot boxes and plebiscite papers received from each registration area seriatim, recording the results by polling station, and to check the labelled sealed envelopes received from the Presiding Officers of the respective polling stations. Elaborate preparations had been made whereby results from various counting centres were rapidly transmitted by army signals to Buea.

297. Counting was begun in some of the plebiscite districts as early as the evening of 11 February and continued in the presence of United Nations Observers until the last results had been tabulated and transmitted to the Plebiscite administrator's headquarters in Buea on 16 February 1961. During the counting it was discovered that at a few polling stations, presiding or polling officers had neglected to affix the official stamp to

<sup>25</sup> See annex XI.

the ballot papers and as a result such unstamped ballots were declared to be invalid in accordance with regulation 36(2) of the Polling Regulations. In another case, sealing wax affixed to several ballot boxes had melted, presumably as a result of exposure to the sun. However, I am confident that in these cases neither fraud nor malfeasance was involved. The count in all centres proceeded without incident and large crowds gathered throughout the four counting days at locations where the results were being announced.

298. The results of the plebiscite in the Southern Cameroons were as follows:

<i>Plebiscite district</i>		<i>Votes cast for First Alternative (Federation of Nigeria)</i>	<i>Votes cast for Second Alternative (Republic of Cameroun)</i>
Victoria	1. South-West ....	2,552	3,756
	2. South-East ....	1,329	4,870
	3. North-West ....	4,744	4,205
	4. North-East ....	3,291	9,251
Kumba	5. North-East ....	9,466	11,991
	6. North-West ....	14,738	555
	7. South-East ....	6,105	12,827
	8. South-West ....	2,424	2,227
Mamfe	9. West .....	2,039	8,505
	10. North .....	5,432	6,410
	11. South .....	685	8,175
	12. East .....	1,894	10,177
Bamenda	13. North .....	8,073	18,839
	14. East .....	1,822	17,858
	15. Central West ...	1,230	18,027
	16. Central East ....	529	18,193
	17. West .....	467	16,142
	18. South .....	220	19,426
Wum	19. North .....	1,485	7,322
	20. Central .....	3,644	3,211
	21. East .....	1,518	13,133
	22. West .....	2,137	3,449
Nkambe	23. North .....	5,962	1,917
	24. East .....	3,845	5,896
	25. Central .....	5,059	4,288
	26. South .....	7,051	2,921
TOTALS		97,741	233,571

Thus 29.51 per cent of the votes were cast for the first alternative and 70.49 per cent for the second alternative. Of the total of registered persons, 94.75 per cent actually cast their votes.

### *Chapter XIII*

#### **The protest period**

##### **A. THE SOUTHERN CAMEROONS PLEBISCITE (VOTING PETITIONS) REGULATIONS, 1961**

299. On 1 November 1960 the Plebiscite Administrator transmitted to me for comment a copy of a draft of the Southern Cameroons Plebiscite (Voting Petitions) Regulations.

300. The first consultations with respect to the draft Regulations took place during the first week of December between the Plebiscite Administrator and the Attorney General on one side, and myself and members of my staff on the other.

301. I noted that the draft regulations made provision for the Court to direct a petitioner to give security

for costs "in such manner and to such amount as the Court may direct". I also noted that the Elections (Southern Cameroons House of Assembly) Regulations, 1957, which applied to all matters of procedure, evidence and costs, provided for a maximum amount of £100 as security for costs. I could see no reason for departing from the maximum that had been established for petitions procedures in the Territory, although it was my view that the possibility of remitting awards of costs should not be disregarded.

302. On the other hand, I took the position that, regardless of the law that had been applied in the Southern Cameroons for elections petitions, no fees for the plebiscite petitions proceedings should be payable. While a security for costs appeared justified in some cases to prevent frivolous or vexatious petitions, it did not appear to be justified in the case of the payment of a fee since normally the primary purpose of a fee is to raise revenue. I expressed this view to the Plebiscite Administrator because the Elections (Southern Cameroons House of Assembly) Regulations, 1957 made in turn the Supreme Court (Elections Petitions) Rules, 1951 applicable to the plebiscite voting petitions and these Rules provided for the payment of a fee of £5 for each petition and of a hearing fee at the rate of £1 per day of the trial, but not exceeding £7.

303. We reached agreement on these points, and regulation 9 was redrafted to limit to £100 the permissible amount of the security for costs. Two new paragraphs were added to regulation 5 providing respectively that: "The Commissioner of the Southern Cameroons may remit the whole or part of any award of costs", and "No fees shall be charged in connexion with proceedings under these Regulations".

304. We also agreed to include a definition of the United Nations Plebiscite Commissioner in regulation 2 (Interpretation), since all other officials referred to in the Regulations had been defined. Similarly, to correct another omission, a new paragraph (2) was added to regulation 6, according to which "A copy of any decision, including the findings of the Court upon the facts of the case, shall be transmitted to the United Nations Plebiscite Commissioner".

305. On 1 December 1960, the Plebiscite Administrator transmitted to me a proposal to the effect that, upon the receipt of a petition relating to a registration area, the Plebiscite Administrator "would consider petition and form opinion, having regard to votes cast and any other petitions received, whether if petition upheld the question affirmatively decided upon in that area could be different or the majority therefor could be significantly affected". The Plebiscite Administrator would then transmit this opinion to the United Nations Plebiscite Commissioner, together with a summary of petitions, and if within seven days no contrary views were received from the United Nations Plebiscite Commissioner, the Plebiscite Administrator would, as the case might be, take the steps provided for in the Regulations for the initiation of proceedings or inform the petitioner that the cause of complaint did not affect the result of the voting in the registration area concerned. The purpose of the proposal was to allow for submission to the Special Court only those petitions that would, if successful, change the result of the plebiscite in a registration area.

306. I did not think that as the United Nations Plebiscite Commissioner I could accept this proposal. Article 4(2)(e) of the Southern Cameroons Plebiscite

Order in Council, 1960, provided for Regulations to be made by the Commissioner of the Southern Cameroons for the "lodging of petitions relating to any dispute concerning the result of the voting" and article 7(2) called for the establishment of a Special Court to hear and determine such petitions. These provisions seemed to provide for a right to a judicial recourse that was in no way dependent upon the eventuality of whether the petition, if successful, could affect substantially the majority in a registration area for one of the questions put in the plebiscite. Should petitions be subject to a screening procedure, the whole basis of the right to have a complaint examined by a Court acting under established rules of law would fall to the ground. Moreover, I did not consider that the terms of reference of my office included authority to pass judgement on any opinion of the Plebiscite Administrator on whether any petition, if successful could affect the result of the plebiscite either in any registration area or in its entirety. Other facts could be taken into account by the General Assembly and a decision of the Court on any petition might be important in disclosing these facts.

307. After hearing my views the Plebiscite Administrator consented to withdraw the proposal. However, he expressed his concern that groundless petitions, if pending in Court, might conceivably delay a final decision of the General Assembly on the results of the plebiscite. To prevent this, he had been advised by the Attorney General that the Court be empowered to dismiss petitions, if the Court was satisfied that the petitioner could not substantiate his allegations. I found

this proposal acceptable, provided that (a) the Court heard the petitioner's witnesses before dismissing a petition; and (b) that I were informed of the decision of the Court and of the reasons therefor. It was agreed that regulations 3(3) and (4) would make provision for these points.

308. In order to avoid intentional delays and multiplicity of proceedings, regulation 16 excluded the concurrent jurisdiction of other Courts in the Southern Cameroons.

309. The Voting Petitions Regulations, as agreed upon, were published in the supplement to the *Southern Cameroons Gazette* No. 3, Volume 7, of 21 January 1961, Part B, as the Southern Cameroons Plebiscite (Voting Petitions) Regulations, 1961.<sup>26</sup>

## B. VOTING PETITIONS

310. In compliance with regulation 3(2) of the Southern Cameroons Plebiscite (Voting Petitions) Regulations, 1961, the United Kingdom Plebiscite Administrator transmitted to me on 23 February 1961, through the United Nations Observer whom I had designated to be present in the Territory during the period set aside for the submission of voting petitions, copies of the thirteen petitions which had been received under regulation 3(1)(c) of the Voting Petitions Regulations:

<sup>26</sup> See annex XIII.

<i>Plebiscite district</i>	<i>Name of petitioner</i>
(a) Wum West .....	Mr. J. M. Boja
(b) Bamenda South .....	Mr. Paul Forkwa
(c) Bamenda East .....	Ndifonjeni
(d) Bamenda Central West .....	Mr. S. T. F. Ayonghe
(e) Bamenda North .....	Mr. Audu Lamnte
(f) Bamenda North .....	Mallam Ibrahim
(g) Bamenda North .....	Mr. Martin Ngamdzele
(h) Bamenda West .....	Mr. M. A. Etamo
(i) Mamfe West (Kembong) .....	Mr. Napoleon Ebot
(j) Mamfe West (Kembong) .....	Mr. Philip Tabi Agbor
(k) Mamfe West (Mfuni) .....	Mr. F. T. Agbor
(l) Mamfe West (Besongabang) .....	Mr. J. M. Agbor
(m) Mamfe West (Bachuntai) .....	Mr. J. E. Ayuk

311. The text of each of these petitions appears in annexes XXVI to XXXVIII of this report, and will be found in document T/1556/Appendix/Add.1.<sup>27</sup> At the time of writing this report no information was available concerning the hearing of the petitions or the decisions taken on them by the courts.

## Chapter XIV

### Concluding remarks

312. The result of the plebiscite in the Southern Cameroons shows that 97,741, or 29.51 per cent of the valid votes, were cast in favour of the Southern Cameroons joining the Federation of Nigeria, while 233,571, or 70.49 per cent were cast for joining the Republic of Cameroun. Ample opportunity was given to all those eligible to register for the plebiscite and as a result a total of 349,652 persons were registered, of whom 167,941 were men and 181,711 women. According to

the estimates of the Administering Authority this total represented roughly 90 per cent of the potential electorate, and exceeded by far the number of persons registered for any of the previous elections held in the Southern Cameroons. On polling day 94.75 per cent of all registered voters turned out to cast their ballots and it is worthy of note that there was little variation from this percentage in any of the twenty-six plebiscite districts of the Southern Cameroons. One of the outstanding aspects of the plebiscite in the Southern Cameroons was the remarkable calm which prevailed during all of its phases, despite the intensity of the political campaign during the last weeks preceding polling. It is with great satisfaction that I pay tribute to the people of the Southern Cameroons for the respect they showed for law and order.

313. The plebiscite was efficiently organized and conducted by the Administering Authority in accordance with the legislation promulgated for the purpose. I am satisfied that the people of the Southern Cameroons had the opportunity to express their wishes freely

<sup>27</sup> See footnote on p. 1.

and secretly at the polls concerning the alternatives offered in the plebiscite.

314. The results of the efforts made to clarify the plebiscite questions which are described elsewhere in this report (paragraphs 48-98 above), provided the basis upon which the Plebiscite Administration and the political parties conducted their campaigns to inform the people about the meaning of the choices before them. While the majority of the people may not have grasped the detailed implications of the alternatives at the plebiscite, it can confidently be said that they were aware that the decision they were called upon to make meant joining one or other of the two neighbouring countries.

315. Now that the people of the Southern Cameroons have expressed their wishes concerning the future of the Territory, it is for the General Assembly to evaluate the results and to take appropriate decisions. Without in any way wishing to prejudge any decision which the General Assembly may resolve to take, I deem it useful to recall the formula advanced by the Secretary of State for the Colonies at the London Conference with political leaders of the Southern Cameroons, to the effect that a vote for attaining independence by joining the Republic of Cameroun would mean that by an early date to be decided by the United Nations after consultation with the Governments of the Southern Cameroons, the Republic of Cameroun and the United Kingdom, as Administering Authority, the Southern Cameroons and the Republic of Cameroun would unite in a federal united Cameroun Republic. The formula further provided that the arrangements would be worked out by a conference consisting of representative delegations of equal status from the Republic and the Southern Cameroons, with which the United Nations and the United Kingdom would also be associated. It should also be recalled that this formula was endorsed by representatives of the Government Party of the Southern Cameroons, led by Premier Foncha, and by a delegation of the Government of the Republic of Cameroun, led by President Ahidjo at their meeting in Yaoundé on 1 and 2 December 1960. At the same time it was agreed at the

Yaoundé meeting that the post-plebiscite conference "would have as its aim the fixing of time limits and conditions for the transfer of sovereign powers to an organization representing the future Federation".

316. In the section of this report dealing with the political parties and their campaigns I could not fail to mention the high degree of suspicion and distrust shown by leaders and representatives of political parties towards each other. While this feeling of distrust and suspicion may have been heightened by the campaign itself, it would be highly desirable, now that the plebiscite is over, if leaders of all political groups would make determined efforts to reconcile their differences and, looking toward the future, endeavour to co-operate in the tasks that lie ahead.

317. I wish to express my gratitude to the Commissioner of the Southern Cameroons, the Deputy Commissioner and to the members of the Administration, both at the central and local levels, for the co-operation they extended to me and the members of the United Nations staff. A special tribute is due to the Plebiscite Administrator for the successful and efficient organization and conduct of the plebiscite in which he had the able assistance of the Deputy Plebiscite Administrator, the Assistant Plebiscite Administrators and the Plebiscite Supervisory Officers. During the registration, polling and counting periods large numbers of officials, most of them Cameroonians, were recruited and given special training by the plebiscite supervisory staff. The effective training they received, as well as their sense of duty, contributed in large measure to the efficient conduct of the plebiscite operation. I also wish to report that during each stage of the operation I was consulted by those concerned on all measures taken in connexion with the plebiscite as provided in General Assembly resolution 1350 (XIII).

318. Before concluding these observations I wish to place on record my deep and sincere gratitude to the members of the United Nations Secretariat, whom the Secretary-General designated to assist me in the supervision of the plebiscite, for the devoted efforts, high sense of duty and ability which they displayed at all times.

## PART TWO. THE PLEBISCITE IN THE NORTHERN CAMEROONS

### Chapter I

#### Preliminary arrangements made by the Administering Authority

##### A. DIVISION OF THE TERRITORY INTO PLEBISCITE DISTRICTS AND REGISTRATION AREAS

319. Article 3(1) of the Northern Cameroons Plebiscite Order in Council, 1960, provided that the Northern Cameroons should be divided into plebiscite districts. In accordance with this provision, the Northern Cameroons was divided into nine plebiscite districts corresponding to the plebiscite circles established for the purposes of the plebiscite held in 1959, except in the case of Gashaka-Toungo which, in 1959, together with Mambilla, had formed a single plebiscite circle. The plebiscite districts thus established were the following:

<i>Plebiscite district</i>	<i>Description of area</i>	<i>Corresponding administrative division</i>
1. Dikwa North .....	The District of Gumsu (including Gajibo, Ngala and Rann-Kalabalge) .....	Dikwa
2. Dikwa Central .....	The Districts of Bama, Gulumba and Wologe .....	
3. Gwoza .....	The Districts of Gwoza .....	

<i>Plebiscite district</i>	<i>Description of area</i>	<i>Corresponding administrative division</i>
4. Cubunawa-Madagali ....	The Districts of Cubunawa and Madagali..	Northern Trust
5. Mubi .....	The Districts of Belei, Maiha, Mubi, Mayo-Bani and Sorau .....	
6. Chamba .....	The Districts of Koma-Vomme, Nassarawo, Sugu and Yelwa .....	Southern Trust
7. Gashaka-Toungo .....	The Districts of Gashaka and Toungo ....	
8. Mambilla .....	The District of Mambilla .....	
9. United Hills .....	The Districts of Tigon, Ndoro and Kentu	United Hills

320. Regulation 3 of the Northern Cameroons Plebiscite (Registration) Regulations, 1960, provided that, "subject to any general or specific directions which the Administrator may from time to time give in that behalf, a Registration Officer shall divide the plebiscite district in respect of which he is to exercise his function into such registration areas as he may deem necessary". Accordingly, the Registration Officers divided the respective plebiscite districts into registration areas, totalling 346 for the whole of the Northern Cameroons as follows:

<i>Registration district</i>	<i>Number of registration areas</i>
1. Dikwa North .....	41
2. Dikwa Central .....	58
3. Gwoza .....	33
4. Cubunawa-Madagali .....	41
5. Mubi .....	54
6. Chamba .....	49
7. Gashaka-Toungo .....	23
8. Mambilla .....	28
9. United Hills .....	19

#### B. STAFF OF THE UNITED KINGDOM PLEBISCITE ADMINISTRATION

321. *Plebiscite Administrator.* Article 6(1) of the Northern Cameroons Plebiscite Order in Council, 1960, provided that "the Administrator of the Northern Cameroons shall be responsible for the conduct of the plebiscite". Sir Percy Wyn-Harris, K.C.M.G., M.B.E., who had been appointed to be the Administrator of the Northern Cameroons with effect from 1 October 1960 (Northern Cameroons Notice No. 1 published in Gazette No. 1 of 1 October 1960), assumed the duties of United Kingdom Plebiscite Administrator on the same date and established his headquarters at Mubi. Sir Percy had had a distinguished career in several African territories, having served in Kenya from 1929 until 1949 where he last held the office of Chief Native Commissioner and member for African Affairs on the Executive Council. In 1949 he was transferred to Gambia as Governor and Commander-in-Chief, where he remained until 1958. Before his recent assignment to the Northern Cameroons, Sir Percy served in 1959 as a member of the Commission of Inquiry into the disturbances in Nyasaland (Devlin Commission). Sir Percy's wide experience in African affairs contributed materially to his success in discharging the difficult task of combining the functions of Administrator of the Northern Cameroons and Plebiscite Administrator. By Article 10 of the Order in Council, the Administrator of the Northern Cameroons was required "to consult wherever practicable and expedient with the United Nations Plebiscite Commissioner and the other persons appointed to assist him in observing the Plebiscite on behalf of the United Nations." Article 8 of the Order

in Council empowered the Administrator to give directions to his staff with respect to the exercise of their functions under the Order in Council.

322. *Deputy Plebiscite Administrator.* In accordance with Article 6(1) of the Order in Council, which provided that "the Administrator . . . may constitute such other offices as he may consider necessary for the purposes of this Order and any regulations made thereunder, and appoint persons to those offices and exercise disciplinary control over and dismiss persons appointed to those offices", Mr. S. Sill Johnston was appointed Deputy Plebiscite Administrator with effect from 1 October 1960. Mr. Johnston, who was an Assistant Plebiscite Administrator in charge of the plebiscite circles of Dikwa North, Dikwa Central and Gwoza during the Northern Cameroons Plebiscite in 1959, had been entrusted in July 1960 with making preliminary arrangements for the 1961 plebiscite. Mr. Johnston had served since 1947 in various capacities in the Federal Government of Nigeria and was last on special assignment in the Office of the Governor-General of Nigeria. He had been a member of the British Armed Forces during World War II.

323. *Assistant Plebiscite Administrators and Supply Officer.* In accordance with Article 6(1) of the Order in Council, three Assistant Plebiscite Administrators and one Supply Officer were appointed with effect from 1 October 1960. Mr. F. C. W. Davies, Mr. F. W. Tyler and Mr. K. Kinross were selected as Assistant Plebiscite Administrators and were posted to Bama, Mubi and Ganye in charge of field operations in the plebiscite districts of the Dikwa, Northern Trust and Southern Trust/United Hills divisions, respectively. Mr. Davies was a district officer who served on secondment in the Education Department; Mr. Tyler was a senior technical officer of the Veterinary Department, and Mr. Kinross was an agricultural officer in the Nigerian Service. Mr. R. A. Bain, Supply Officer at the Plebiscite Administrator's headquarters in Mubi, had served previously in the Supply Branch of the Royal Air Force.

324. *Supervisory Officers.* Nine Supervisory Officers were appointed to conduct the plebiscite in each of the nine plebiscite districts in the Northern Cameroons. With two exceptions, all Supervisory Officers were recent graduates of universities in the United Kingdom and the majority had seen service in the United Kingdom Armed Forces. In response to advertisements placed by the Colonial Office in newspapers in the United Kingdom, applicants for positions as Supervisory Officers in the Northern Cameroons Plebiscite and of Plebiscite Supervisory Officers in the Southern Cameroons Plebiscite, numbering some 800, were interviewed in London by a selection board consisting of an independent chairman, the Plebiscite and Deputy Pleb-

iscite Administrators of the Northern and Southern Cameroons and representatives of the Colonial Office. The Supervisory Officers so selected arrived in the Northern Cameroons early in September where they were given their specific assignments and sent to the field. The Supervisory Officers served for purposes of registration as Registration Officers, during the period of revision of the preliminary lists as Revising Officers, and during the immediate pre-polling, polling and counting period as Returning Officers.

325. The following is a summary showing staff participation and functions in the organization and conduct of the plebiscite under the general direction of the Administrator of the Northern Cameroons:

*Headquarters Staff—Mubi*

Deputy Plebiscite Administrator .....	1
Supply Officer .....	1

*Field Staff*

Assistant Plebiscite Administrators: expatriate officials (Dikwa North—Dikwa Central—Gwoza)

(Cubunawa—Madagali—Mubi) and (Chamba—Gashaka—Toungo—Mambilla—United Hills) ....	3
Supervisory Officers: expatriate officials recruited in the United Kingdom especially for the plebiscite	9
Registration Supervisory Officers: recruited in the Northern Cameroons from among teachers and student teachers .....	80
Assistant Registration Officers: recruited, with the exception of 25 Nigerian students, from among teachers, pupils, etc. in the Northern Cameroons	430
Polling Supervisory Officers: recruited in the Northern Cameroons .....	80
Presiding and Polling Officers: recruited locally from among teachers and Native Authority staff, pupil teachers, pupils .....	760
Polling Marshals: recruited locally from among pensioners, village elders, etc. ....	760
Assistant Returning Officers: recruited from among administration officials .....	18

C. TIME-TABLE FOR THE PLEBISCITE

326. The following was the time-table for the Northern Cameroons plebiscite:

<i>Time-table</i>	<i>Days</i>	<i>Event</i>
<i>1960</i>		
12 Sept.—30 Sept. ....	19	First public enlightenment campaign
17 Oct.—6 Nov. ....	20	Registration
7 Nov.—18 Dec. ....	42	Preparation and publication of preliminary list
<i>1961</i>		
19 Dec. (1960)—10 Jan. ....	23	Submission of claims and objections
11 Jan.—7 Feb. ....	28	Preparation and publication of final register
11 Feb. ....		Polling day
12-21 Feb. ....		Period for lodging petitions

327. Only minor changes were required in the time-table. As a consequence of my intervention with the Administrator, the latter agreed to extend the three-week period set aside for registration by an additional week and this change is reflected in the above time-table. Another minor adjustment was made regarding the publication of the preliminary lists in some plebiscite districts owing to the fact that a slight delay in the preparation of the lists for the Mubi, Gwoza, Gashaka-Toungo, Chamba and United Hills Plebiscite Districts required the postponement of their publication by several days without, however, affecting the remainder of the time-table. Finally, for reasons given in paragraphs 554 to 557 below, an additional day was set aside for polling in the Northern Cameroons plebiscite.

*Chapter II*

**Communications in the Northern Cameroons**

328. Communications within the Northern Cameroons posed very considerable difficulties. The few existing roads in the Northern Cameroons are classified as all-season, being mainly trunk roads, and dry-season, these being Native Authority roads. Because of the difficult terrain there are few all-weather roads in the Territory. As I had occasion to point out in my report on the plebiscite in the Northern Cameroons in 1959,<sup>28</sup> in the extreme north, where the mountains give way to the wide expanse of land of low relief between Lake Chad and Bama, the heavy clay soils became waterlogged in the rainy season and vehicular traffic converts

such roads as there are into quagmires of sticky mud, thus quickly rendering them impassable. The only all-season road in this part of the Territory is Trunk road A-21, which originates at Maiduguri in Nigeria, enters the Trust Territory at Dikwa, then proceeds northward along the western border on an embankment to Ngala just south of Lake Chad and thence into the Republic of Cameroun. Another all-weather trunk road originating in Maiduguri, A-4, runs to Bama, thus providing a link with Dikwa. The distance from Bama to Dikwa by these two all-weather roads, which form two sides of a triangle with the apex at Maiduguri, is, however, about 110 miles as compared with the straight line distance—the base of the triangle—of only about 45 miles. The direct road between Bama and Dikwa becomes passable only well after the rainy season has ceased.

329. From Bama, Trunk road A-4 continues southward to Zara and Kiva, some 10 miles north of Gwoza, but the surface of this stretch of some 40 miles is not up to all-weather standard. From Kiva the surface is again all-weather through Gwoza, Madagali, Gulak, Michika and Uba to Mubi, a distance of about 110 miles. The other roads in the northern section of the Territory are all Native Authority dry-season roads, with the exception of regional road B-505 running from Mubi to Burha in the Republic of Cameroun, a distance of about 20 miles.

330. Mubi is connected with Jada in the southern section of the Territory by Trunk road A-4, which runs through Yola. A ferry service over the Benue at Yola enables crossing of this river. The distance by this road from Mubi to Yola is 124 miles and from Yola to Jada 67 miles, or a total distance of 191 miles from Mubi to

<sup>28</sup> See *Official Records of the General Assembly, Fourteenth Session, Annexes*, agenda item 41, addendum, paras. 12 to 19.

Jada. This is the only all-weather road link between the northern and southern sections of the Trust Territory.

331. In the southern section it is projected that A-4 will continue from Jada, through Sugu, Jamtari and Serti to Mayo Selbe at the foot of the Mambilla escarpment, up the escarpment to Gembu and thence into the Southern Cameroons. So far, however, only the short length between Jamtari and Serti (some 30 miles) has been completed.

332. Just north of Jada, another Trunk road, A-14, branches off A-4 and continues southward in Nigerian territory to Beli almost on the border of the Trust Territory. The distance from Jada to Beli is about 135 miles. From Beli, regional road B-504 turns east into Trust Territory to Jamtari, a distance of 30 miles. Thus there is an all-weather link between Jada and Jamtari of about 165 miles, most of which runs through Nigerian territory. This link continues to Serti.

333. Trunk road A-14 continues southward from Beli to Takum, a small town in Nigerian territory about 20 miles from the boundary between Northern and Southern Cameroons. The distance from Beli to Takum is about 90 miles. At about 60 miles on this road from Beli, Regional road B-553 crosses it going into Trust Territory through Baissa to Abong on the Southern Cameroons border, and so establishing an all-weather link between Beli and Baissa.

334. Because of the axial mountain ranges running along the eastern border of the Northern Cameroons and the numerous lateral spurs, particularly in the southern section, Native Authority dry-season roads, to maintain north-south communications, must frequently cross valley bottoms and ford streams and rivulets or run through low-lying lands. In the wet season, when every stream or rivulet becomes a torrent and the low-lying lands are extensively flooded, these roads become impassable and the great majority of the villages served by them are cut off from communication with the larger centres served by all-season roads, even such as are within relatively short distances of these centres. This state of affairs continues throughout the rainy season and for some time thereafter until the cessation of the rains allows the streams and rivulets to shrink and the flooded areas to dry off, thus permitting bridges and damaged roads to be repaired and communications to be re-established.

335. Nevertheless, a weekly road courier service was established between the United Nations Northern Cameroons headquarters at Mubi and the observer stations to the north and south of it, and was supplemented at irregular intervals with charter flights with landings being made at the airstrips near Baissa, Ganye and Mubi.

336. Reference to this aspect of communications would not be complete without particular mention of the observer station in the Mambilla district which, being the southernmost plebiscite district in the Northern Cameroons, is inaccessible by road and could only be reached from the north by way of Serti, itself two days' distance by car from Mubi and six days trekking during the rainy season, three days during the dry season. As it proved to be easier to reach Gembu from the Southern Cameroons by way of the Bamenda plateau, contact with the Observer was maintained directly through Buea. In this way trekking over undulating terrain was reduced to just over three days during the

rainy season. With the beginning of the dry season early in December the dry-season road was open to vehicular traffic. As a result it was possible to drive in two to three days from Buea to a point just a few miles south of Gembu itself.

337. As was the case in the Southern Cameroons, observers were required to make frequent treks in their respective plebiscite districts in order to visit the many areas which were inaccessible to motor transport.

338. Having experienced the difficulties of communications during the 1959 plebiscite, and being aware of the complete absence of radio and telephone facilities in the Northern Cameroons, I approached the Colonial Office as early as January 1960 on this subject, since I was not only anxious to establish contact between my two headquarters, but wished to be able to contact Observers quickly when circumstances required it. I was subsequently informed that in July 1960 a plan had been agreed upon by Her Majesty's Government whereby they would underwrite a sum of £75,000 for the establishment of radio-telephonic communications between Mubi, Lagos and Buea with main links to Bama, Ganye and Gembu, thus linking the northern and southern parts of the Territory as well as Mubi with the principal headquarter towns in the Northern Cameroons.

339. The work on the project was begun by the Federal Posts and Telegraph Department, which provided the necessary equipment and the technical supervision for buildings and layout. The Marconi Company, on contract, supplied engineers who assumed responsibility for the actual wireless installations. This whole operation was dogged by unending misfortune. The very heavy and persistent late rains throughout the north seriously interfered with the movement of necessary stores into the Territory, and journeys scheduled to take two days were completed only in ten. As a concomitant to this, the delicate electronic equipment was badly shaken on the appalling roads and much of the equipment arrived in a broken condition so that in some cases essential parts had to be returned to Lagos for repair or be re-ordered from the United Kingdom.

340. As a result, the Posts and Telegraphs were unable to keep their original promise to have the work completed by 1 October. In order to compensate for this delay, the Administrator arranged for the connexion of a police link at Mubi with the established Nigerian Police network, and only through this line was it possible to channel messages through to Kaduna and hence on through the normal wireless telegraph system of Nigeria. This came into operation during the third week in October, but proved to be of limited value as regards communications between Mubi and Buea because of the delays involved in the transmission of messages.

341. Not until November did the main radio link at Mubi become operational. Ganye and Bama followed immediately afterwards, and by December the three headquarters were in communication with each other.

342. As promised by Her Majesty's Government, arrangements were made with the Federal Government for the use of small detachments of Nigerian Army Signals during the voting and counting periods, and radio linkage connecting all plebiscite district headquarters with Mubi was established between 25 January and 15 February.

343. Location of the signal units and number of personnel were as follows:

Dikwa .....	10 men
Gwoza .....	1 officer and 12 men
Madagali .....	10 men
Michika .....	10 men
Mubi .....	1 officer and 20 men
Ganye .....	1 officer and 15 men
Baissa .....	1 officer and 10 men
Karamti .....	10 men

In addition, a radio set was installed at Gembu in the Mambilla district which was operated by civilian personnel.

344. The Administrator gave me firm assurances that all Army signal personnel were in the Northern Cameroons to provide communications and for no other purpose, and that none of these troops would carry arms.

### *Chapter III*

#### **The pre-registration public enlightenment campaign**

345. Late in August 1960, I was informed by a member of the United Nations advance party that it was the intention of the Northern Cameroons Plebiscite Administrator to conduct a pre-registration public enlightenment campaign for the purpose of informing the people of the mechanics of registration for the forthcoming plebiscite. As I considered this campaign to be of importance, I requested information regarding the exact period during which the Administrator proposed to conduct the campaign in order that a United Nations Observer might be present in the Northern Cameroons during that period. Owing to communication difficulties between United Nations Headquarters in New York and the Administrator's headquarters in Mubi, it did not prove possible to obtain the necessary information. Only late in September, when the campaign was already well under way, was I informed that it had in fact commenced on 12 September. Nevertheless, I decided that a United Nations Observer should proceed to the Northern Cameroons as soon as possible to cover the remainder of the enlightenment campaign period. Mr. Ismail R. Khalidi, the United Nations Observer assigned to the Chamba plebiscite district, whom I had requested to undertake this additional assignment, arrived in Mubi on 1 October 1960. He subsequently reported to me that the campaign had in fact been concluded before his arrival, but that on the basis of his talks with officials of the Administration, with people from the areas he had visited and the observations he had made during the early days of his stay in the Territory, he was able to gather sufficient information which, in the circumstances, I considered to be helpful in forming certain conclusions on the effectiveness of the campaign.

346. In this connexion, I had on 7 September 1960 recalled to the attention of officials of the Colonial Office, during my meeting with them, the provision contained in paragraph 4 of resolution 1473 (XIV) whereby the General Assembly had recommended that the plebiscite should be conducted on the basis of universal adult suffrage. Recalling the information given by the Administering Authority that the people of the Northern Cameroons might possibly raise objections to the extension of the franchise to women, I sought information concerning the steps which the Administering Authority proposed to take to implement the decision of the General Assembly, and what measures were being contemplated to prevent any acts designed to intimidate

or otherwise discourage women from registering or voting. I was informed that the Administrator was determined to see to it that the provisions of General Assembly resolution 1473 (XIV) on this subject were carried out in spirit and in letter.

347. The Administrator subsequently reassured me in writing that as far as his administration was concerned, everything possible would be done to incline the people of the Northern Cameroons to accept the extension of the franchise to women and that measures would be taken to prevent intimidation. He further stated that he had started a campaign to explain to the inhabitants of the Northern Cameroons the advisability of accepting the United Nations ruling in this matter.

348. Prior to the campaign, each of the nine Registration Officers assigned to the respective plebiscite districts had been instructed to familiarize themselves with their registration districts, their people and the location of the designated registration stations and to explain briefly to the people the mechanics of the registration procedure along the broad outline contained in the publicity material which was to be disseminated throughout the Northern Cameroons. Each of the Registration Officers was accompanied by a publicity assistant, recruited from among the local Native Authorities, who had been instructed to conduct community and village meetings, explaining the procedure of registration to the people in their own language, and to cite the text of the two alternatives in the plebiscite which the General Assembly had laid down in its resolution 1473 (XIV). The campaign was further supplemented by adult education classes throughout the Northern Cameroons which were conducted under the supervision of the three Assistant Plebiscite Administrators in Ganye, Mubi and Bama. During each class, the Instructor explained to his students the procedures to be followed in the registration and read to them the text of the two alternatives to be put in the plebiscite.

349. Strict instructions had been given to the Registration Officers and the publicity assistants not to enter into any discussion on the substantive aspects of the plebiscite nor to allow themselves to be drawn into such discussions by anyone. They had been asked to restrict themselves entirely to explaining the procedures and mechanics of registration. Their instructions provided that it was simply and solely their task to conduct the plebiscite and that they were to be entirely impartial.

350. Publicity was conducted by the plebiscite staff using loudspeaker vans and by means of posters and handbills which were widely circulated throughout the Northern Cameroons. All publicity was conducted in English, Hausa, Kanuri and Fulani. One of the posters showed the dates between which registration would take place and the alternatives on which the people would eventually be asked to vote and gave indications on the manner in which registration would be carried out. Other posters were provided with information concerning the officials dates, times and places for registration, and another gave notification of the extension of registration by an additional week. Altogether 16,000 posters and 16,000 handbills were distributed.

351. In terms of effectiveness, the most common method of publicity, namely the printed word, appears to have been the least effective in the Northern Cameroons. Yet this is not surprising, for in an area where illiteracy is estimated at 97 per cent, the main means of publicity must be confined to the spoken word if information is to be imparted effectively. Thus, the repeated

visits of plebiscite staff to near and remote localities for the purpose of giving explanations and answering questions undoubtedly contributed more to the effectiveness of the campaign and, as it turned out, to the heavy participation in registration, than any of the posters or handbills, regardless of their excellence.

#### *Chapter IV*

### **The registration period**

#### **A. THE NORTHERN CAMEROONS PLEBISCITE (REGISTRATION) REGULATIONS, 1960**

352. At the meeting in London on 7 September 1960 with officials of the Colonial Office, I expressed the hope that the draft of the Plebiscite Regulations would be transmitted to me in time for consultations before they were finalized.

353. On 8 September, I received a copy of the draft Registration Regulations transmitted through the Administrative Officer on my staff, who was already in Mubi making preparations for our arrival.

354. By letters of 14 and 23 September to the Deputy Plebiscite Administrator and the United Kingdom Mission in New York, respectively, I enquired whether the text in my possession was to be regarded as the draft Registration Regulations or whether the Regulations had already been promulgated. At the same time I suggested several amendments on which comments were made by the Deputy Plebiscite Administrator in a cable of 28 September 1960.

355. At a meeting held with officials of the Colonial Office in London on 10 October 1960, the Principal Secretary was informed that any question relating to the Registration Regulations should be pursued further with the Administrator of the Northern Cameroons in Mubi.

356. On the occasion of my first visit to Mubi the Administrator informed me that he had felt obliged to publish the Registration Regulations because of the time factor involved, and the need to commence operations without delay. However, he assured me that he was prepared to introduce such amendments to the Regulations as might be agreed upon during our discussions. The copy of the Regulations, as transmitted to me, contained four parts: Part I (Preliminary) provided, under six regulations (one being numbered 2A), for citation of the Regulations, interpretation, the division of the plebiscite districts into registration areas, the form of the register, and the appointment in each registration area of places fit to be registration offices; under regulation 2A, any question as to the ordinary residence of any person for the purposes of paragraph 3 of Article 5 of the Order in Council was to be determined in accordance with the rules set out in the First Schedule.

357. Part II (Preparation of Preliminary List) comprised regulations 6, 7, 7A and 8. Under regulation 6, notices were to be given by each Assistant Plebiscite Administrator of the manner and places in each plebiscite district in which registration could be effected. Regulation 7 provided for the submission of claims to be registered, the manner of such submission, the duties to be performed by the Assistant Registration Officer, including in the event of his refusal to accept a claim, the obligation to endorse upon the application form his grounds for so doing, to return the form to the claimant and to inform the claimant of his right to appeal; and the issuance of duplicate registration cards in the event

of destruction or loss of registration cards. Regulation 7A provided that a person whose claim to be registered had been refused by an Assistant Registration Officer was entitled to appeal to the Registration Officer upon the submission of his registration card endorsed with the decision and reasons for same of the Assistant Registration Officer. The Registration Officer was empowered to receive such evidence as he might consider necessary and his determination of appeals was to be final. Regulation 8 provided for the preparation and publication of the preliminary list of voters by the Administrator.

358. Part III (Revision of Preliminary List) included regulations 9 to 15. Regulations 9, 10 and 11 provided, respectively, for submission of "claims", "applications" and "objections" within fifteen days after the publication of the preliminary list. Under regulation 9, a person whose name did not appear on the preliminary list and who had, during the registration period, submitted a claim to be registered, was entitled to submit again such claim. Under regulation 10, a person whose name appeared under a registration area other than that for which he had applied was entitled to apply for the transfer of his name to the latter registration area. According to regulations 11 and 12, a person whose name appeared in the preliminary list was entitled, within fifteen days of the publication of that list, to object to any other person whose name appeared therein as not being entitled to have his name on the list or in the registration area thereof. Regulations 13 and 14 gave powers to the Registration Officer to determine "claims", "applications" and "objections" upon hearing such evidence as he might consider necessary, to administer oaths for this purpose, and to strike out, enter or transfer names as the case might be. Regulation 15 prescribed that the final register of voters should be caused to be published not later than 7 February 1961 by the Administrator, with such alterations or amendments as he might consider necessary.

359. In Part IV, regulations 16 and 17 defined a number of plebiscite offences such as breaches of official duties; destruction of, or alterations in, documents or notices required to be made under the regulations; giving false information or making false statements willfully and knowingly in relation to any claim or application; knowingly publishing false statements or rumours for the purpose of preventing qualified persons from registering, and knowingly making false statements in any register or document required by the regulations.

360. The First Schedule contained "Rules as to the ordinary residence of voters". In the Second Schedule, there were the following four specimen forms, A, B, C and D: an "Application for Registration", "A Second Application for Registration", an "Application for Transfer of a Name on Preliminary List" and a "Notice of Objection to Name in Preliminary List".

361. Immediately after receiving the text of the Regulations, I initiated consultations with the Administrator. I had already, by letter of 19 September to the Administrator, raised the question whether, in view of the fact that women would be registering for the first time in the Northern Cameroons, the period of three weeks that had been suggested for registration was sufficient. The Administrator had, shortly after assuming office in Mubi on 1 October, written to me expressing his willingness to extend the period of registration to four weeks and to allow for a further extension, should it become necessary. However, his letter had not

reached me in New York and, consequently, I took advantage of our first meeting to review with him this and other aspects of the regulations. We agreed to change, in regulation 7(2), the date for the closing of the registration period from 6 November to 13 November, and to add at the end of the paragraph: "Provided that the Administrator may, after consultation with the United Nations Commissioner or a person designated by the Commissioner in that behalf, extend the period within which claims to be registered may be made in any registration area".

362. In regard to regulation 7A, I suggested that in order to allow the Registration Officer to conduct the appeal proceedings dealt with therein in a manner approaching, at least in some respects, that of a Court, the proceedings should be open to the public and the Registration Officer be empowered to administer oaths. This suggestion was readily accepted by the Administrator.

363. I noted that the grounds for the submission of "claims" for the revision of the preliminary list were provided for in somewhat uncertain terms. Under regulation 9(1), "Every person whose name does not appear in the preliminary list and who submitted a claim under regulation 7 may, within 15 days of the first publication of the preliminary list, apply in Form B in the Schedule to be registered as a voter". Form B referred to the submission of a claim "that had been accepted". Form B appeared to say that a person whose name had been inadvertently omitted would alone be entitled to have recourse to the "claim" procedure, for the purpose of having the omitted name included in the list. On the other hand, regulation 9(1) left the question open of whether a person who had been refused registration could bring his case for review.

364. The Administrator explained to me that the intent of regulation 9(1) had been to allow only inclusion of names of persons who had been accepted for registration and which by mistake had been omitted in the list. An amendment to regulation 9(1) was agreed upon whereby the words "which was accepted" were added between the words "regulation 7" and "may".

365. Finally, I called attention to the provision of regulation 15(2) under which the Administrator was to cause the list to be published "with such alterations or amendments as he may consider necessary". I interpreted this provision as empowering the Administrator to make alterations or amendments necessary for the correction of typographical errors only. The list, at the stage of final publication, had been subject to revision upon the final determination of the appeal under regulation 7A and of "claims", "applications" and "objections" of regulations 9, 10 and 11. No scope for further revision of substance seemed to derive from these provisions. The Administrator concurred with my interpretation, and regulation 15(2) was amended by adding the words "for the purpose of correcting any typographical or clerical error" after the word "necessary".

366. The "Registration Officer" under Part III (Revision of Preliminary List) of the previous text was called "Revising Officer" in the new text.

367. The new text of the registration regulations, as agreed upon with some other minor changes, was published in the *Northern Cameroons Gazette* No. 3, Volume 1, Supplement Part B, at Mubi on 5 November 1960, as the Northern Cameroons Plebiscite (Registration) Regulations, 1960.<sup>29</sup>

<sup>29</sup> See annex XVII.

## B. RECRUITMENT AND TRAINING OF ASSISTANT REGISTRATION OFFICERS

368. To carry out the registration of voters in the 346 registration areas of the Northern Cameroons, the administration required a total of 430 Assistant Registration Officers. These officials were recruited from within the Trust Territory with the exception of twenty-five students of the Numan Teacher-Training College which is situated in Adamawa province in the Northern Region of Nigeria, but it is worthy of note that half their number were indigenous to the Northern Cameroons. The Assistant Registration Officers were recruited from the various educational establishments inside the Territory, including the staff and pupils of the teacher-training colleges at Baissa and Mubi, of the senior primary schools, and teachers from the various Native Authority and voluntary agency schools.

369. Since it was the first time that women had been given the right to vote in the Northern Cameroons, the administration made every effort to recruit suitably qualified women to serve as Assistant Registration Officers and thus to lend encouragement to potential women voters to come forward to register. A total of twenty-five women served as registration officials in the various districts in the Northern Cameroons, and United Nations Observers and administration officials alike attested to their efficiency and effectiveness.

370. On 7 October 1960, each of the nine Supervisory Officers began, in their respective districts, a course of instruction for the Assistant Registration Officers who were to tour the countryside throughout the period of registration. The basis of the training course was a handbook of instructions which had been prepared at the direction of the Administrator and which set forth the various steps involved in the registration of voters. Each of the Assistant Registration Officers received a copy of these instructions in both the English and Hausa texts. The Supervisory Officers trained the Assistant Registration Officers in every aspect of the operation and gave them frequent tests to ensure that every detail had been properly understood and absorbed. A relatively small number of trainees who were unable to meet the requirements of the training course had to be eliminated and were replaced. At the conclusion of the week's training course, each qualified Assistant Registration Officer was issued with lockable boxes containing all the materials necessary for carrying out the registration. The Assistant Registration Officers were sent on 15 October to take up stations in their assigned registration areas in time for the commencement of registration on 17 October.

## C. CONDUCT OF THE REGISTRATION

371. Article 5 of the Order in Council provided the basis for the establishment of registers. The two basic qualifications for eligibility to register were set out in paragraph 2 of the Article:

"(2) Every person who, at the date of his application: (a) is of the age of twenty-one years or upwards, and (b) is ordinarily resident in the Northern Cameroons shall, subject to the provisions of this Article, be entitled on application to be registered as a voter in the registration area in which he is then ordinarily resident."

372. The non-inclusion of any provision limiting suffrage to males provided a basis for the introduction of universal suffrage for the very first time in the his-

tory of the Territory, if not indeed in any area that had traditionally been considered part of the Northern Region System.

373. The qualifications for eligibility to register were not always easy to apply. In an area such as the Northern Cameroons, where records of birth do not yet exist, it proved to be difficult to determine in doubtful cases whether an applicant about to register was in fact twenty-one years of age. For such cases, the Northern Cameroons Plebiscite Registration Instructions provide the following:

"If any doubt should arise the following rules will apply:

*"Men*

"1. Can he produce a Tax receipt *in his own name* dated 1956 or earlier? *If so, he should be registered.*

"2. If he cannot produce a Tax receipt, will the Village or Clan Head say that he is more than 21? *If so, he should be registered.*

*"Women*

"3. Will the Village or Clan Head or two female relations say that she is more than 21? *If so, she should be registered.*

*"Refusal*

"4. If the claimant fulfils *none* of these conditions the Assistant Registration Officer may refuse to register him or her, endorse the form 'A' with the reason for refusal, and advise him or her that they should apply on appeal to the Registration Officer at his Headquarters, taking the form 'A' with them, between 20th and 29th November."

374. A similar guide was used where there was a question whether an applicant to register met the requirements of ordinary residence.

375. It would first be determined whether a prospective registrant was on the local tax register or if he occupied a house with the permission of the village or clan head. If either of these conditions could be met the applicant was registered forthwith. If not, the applicant could be registered upon producing evidence from at least two householders or members of the same clan that he had lived in the place for a period longer than six months, and by declaring his intention to remain.

376. Applicants who could not produce evidence sufficient to meet either the age or residence requirements were entitled to have the reasons for refusal to register them endorsed on their application forms, and these refusals were subject to review in the period therefor between 20 and 29 November, to which reference has already been made.

377. As has already been noted in paragraph 361 above, regulation 6 of the Northern Cameroons Plebiscite (Registration) Regulations, 1960, was amended to provide for an extension of the registration period by one week. This proved to be useful, also, in view of the difficulties posed by the prolonged rainy season in 1960.

378. In preparation for the registration, the Plebiscite Administration conducted intensive courses of training in English and in Hausa. These courses were based on the *Instructions to Registration Officers and Assistants*, which had been published in the two languages.

379. The registration itself was well conducted over the whole of the period. With the vigilance of Registration Officers and United Nations Observers, and with the aid of the Registration Supervisors, who were normally assigned to oversee the personnel in three to five

registration areas, most of such minor errors such as omissions of names and faulty serialization of registration numbers were corrected.

#### D. PREPARATION AND PUBLICATION OF THE PRELIMINARY LIST

380. During my first visit to the Northern Cameroons on 20 October 1960, the Administrator apprised me of the practical difficulties involved in engaging in the Trust Territory a sufficient number of qualified typists to prepare the preliminary list of voters and in finding the necessary equipment and office space required for this purpose. To overcome this problem he proposed to send the lists to Kaduna where ample facilities existed and where they could be prepared with dispatch. Although I appreciated the Administrator's difficulties, it was my view that the sending of the original list to Nigeria, one of the States interested in the outcome of the plebiscite, would carry with it certain political implications and for this reason I asked the Administrator to explore the possibility of having the list prepared in a neutral area. However, I was later informed that this did not prove to be possible in view of the loss of time it entailed and the attendant upset in the time-table of the plebiscite. I therefore agreed to the Administrator's proposal provided that a United Nations Observer would be present in Kaduna to supervise the preparation of the list. In order to ensure against any possibility of tampering with the original lists, it was agreed that as lists were collected in each district prior to their dispatch, the Registration Officers in each district would invite the respective United Nations Observers to be present to enable them to certify that each page of the original lists bore the signatures of the Registration Officer and of the Assistant Registration Officer. The Administrator sent instructions to this effect to his staff, and, similarly, I advised all Observers, who subsequently certified that all lists had been signed by Registration and Assistant Registration Officers in compliance with the agreement and in accordance with the instructions issued to them.

381. Subsequently, I appointed Mr. James Lewis, the United Nations Observer at Gwoza, to supervise the shipment of the lists and to remain in Kaduna during the initial stages of preparation. He arrived in Kaduna on 18 November 1960. From 9 December onward until the completion of all work, I entrusted Mr. F. K. Wand, United Nations Observer in Dikwa, to supervise the completion of the preparation of the lists, which were returned to the Trust Territory together with the original lists as follows:

Registration district	No. of registration sheets	Date dispatched
		1960
1. Dikwa North .....	82	} 12 Dec.
2. Dikwa Central .....	116	
3. Gwoza .....	66	} 20 Dec.
4. Cubunawa-Madagali .....	82	
5. Mubi .....	108	} 23 Dec.
6. Chamba .....	98	
7. Gashaka-Toungo .....	46	} 17 Dec.
8. Mambilla .....	56	
9. United Hills .....	38	23 Dec.

382. Regulation 8(2) of the Northern Cameroons Plebiscite (Registration) Regulations, 1960, provided that "the preliminary list shall be published on or about

18 December, 1960, and the manner of publication shall be by displaying copies of the whole or part thereof at such place or places in each plebiscite district as the Administrator may think fit". Paragraph (3) of the same regulation provided *inter alia* that "the Administrator shall publish notices in each plebiscite district which shall state (a) the places where the preliminary list may be inspected . . .", and paragraph 4 required that "a copy of the preliminary list shall be made available for inspection by members of the public during normal office hours at the office of the Administrator for a period of thirty days after its first publication". In accordance with these provisions, the Administrator of the Northern Cameroons issued on 17 December 1960 Administrative Instructions whereby he directed that the publication of the preliminary list should take place by the display of a whole or part of a copy in the place within the appropriate plebiscite district where the Revising Officer had his headquarters. He further directed that as soon as it was convenient after the date of publication, which he set on or about 18 December 1960, a copy of that part of the list which was appropriate should be displayed at each polling station within the plebiscite districts. Accordingly, the preliminary lists were published in the nine plebiscite districts of the Northern Cameroons on the following dates:

<i>Plebiscite district</i>	<i>Date</i>
	1960
1. Dikwa North .....	18 December
2. Dikwa Central .....	
3. Gwoza .....	23 December
4. Cubunawa—Madagali .....	19 December
5. Mubi .....	24 December
6. Chamba .....	25 December
7. Gashaka-Toungo .....	24 December
8. Mambilla .....	19 December
9. United Hills .....	26 December

383. At the same time, copies of the lists were made available for public inspection at the headquarters of the Administrator and at the headquarters of the Assistant Plebiscite Administrators.

### *Chapter V*

#### **Hearing of claims, applications and objections: publication of the final register of voters**

384. Regulation 7A(1) of the Northern Cameroons Plebiscite (Registration) Regulations provided that "a person whose claim to be registered . . . has been refused may, not earlier than 20 November and not later than 29 November, 1960, appeal to the Registration Officer by submitting in person his application form endorsed as provided . . . and stating his grounds of appeal." The same regulation provided that the hearing of appeals by a Registration Officer should be open to the public and the Registration Officer should receive such evidence as he might consider necessary. The decision of a Registration Officer on the hearing of an appeal was to be final. If the Registration Officer allowed an appeal under this regulation he was required to issue the claimant a registration card and to inform the Administrator that the claim had been accepted. A total of eighteen appeals was submitted under the terms of this regulation, of which one was made in Mubi, and seventeen others in the United Hills plebiscite district. All appeals presented under this regulation were against

refusal to register on grounds of residence. The eighteen appeals were allowed and the names of the appellants were included in the final list.

385. Regulation 9(1) of the Registration Regulations provided that "Every person whose name does not appear in the preliminary list and who submitted a claim under regulation 7 which was accepted may, within fifteen days of the first publication of the preliminary list apply . . . to be registered as a voter." Similarly, regulation 11 provided that any person whose name appeared in the preliminary list could object to any person whose name appeared in respect of the same registration area on the ground that the person objected to was either (a) not qualified to be registered, or (b) disqualified from being registered, or (c) not entitled to be registered in that registration area, or (d) dead. Such objections were required, under regulation 12, to be submitted to the Revising Officer within fifteen days of the publication of the preliminary list.

386. On 17 December 1960, the Plebiscite Administrator of the Northern Cameroons appointed the three Assistant Plebiscite Administrators, eight Plebiscite Supervisory Officers and one other plebiscite official to exercise the powers and functions of Revising Officers in plebiscite districts other than those in which they normally exercised jurisdiction.

387. Although the revising period was due to commence at the close of the fifteen-day period following the first publication of the preliminary list, the plebiscite Administrator suggested that, in view of the delays in the preparation of the preliminary lists of some plebiscite districts and the attendant need to regain lost time, Revising Officers should begin to hear claims and objections during the period set aside for posting of the preliminary lists, but that in any event the statutory period for hearing of claims and objections would remain unaltered. Since this procedure would permit the disposal of such cases as might arise in the very early stages, I agreed to this suggestion. The one single objection to be presented during the revising period was overruled by the Revising Officer, since the person against the inclusion of whose name in the list objection was made, fulfilled all necessary requirements for registration under the applicable plebiscite regulations. The hearing was attended by a United Nations Observer.

388. All corrections and changes arising from claims, applications and objections were made in the preliminary list before 7 February 1961 and the final register of voters was displayed throughout all plebiscite districts in the Northern Cameroons in accordance with the provisions of regulations 15(1) to (6) of the Registration Regulations.

389. The final register of voters was as follows:

<i>Plebiscite district</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
1. Dikwa North .....	20,602	19,634	40,236
2. Dikwa Central .....	29,851	33,940	63,791
3. Gwoza .....	13,418	12,318	25,736
4. Cubunawa—Madagali ..	18,069	20,766	38,835
5. Mubi .....	21,631	20,590	42,221
6. Chamba .....	21,032	19,345	40,377
7. Gashaka-Toungo .....	5,121	4,431	9,552
8. Mambilla .....	13,060	11,057	24,117
9. United Hills .....	3,937	4,183	8,120
	<u>146,721</u>	<u>146,264</u>	<u>292,985</u>

## Chapter VI

### The pre-polling public enlightenment campaign

390. The pre-polling public enlightenment campaign conducted by the Administration in the Northern Cameroons between November 1960 and February 1961 differed entirely from that of the Southern Cameroons, where, it will be recalled, the Plebiscite Administrator had laid emphasis on informing the people of the terms under which the Federation of Nigeria and the Republic of Cameroun were prepared to accept the Territory should they decide to join one or the other. In the Northern Cameroons, on the other hand, the pre-polling enlightenment campaign was designed to acquaint the people with the mechanics of voting and to urge them to make use of their voting rights. Few, if any, explanations were given to the people by the plebiscite staff concerning the proposed conditions under which the Northern Cameroons might join either of the two countries. This was largely attributable to the fact that the publication of the handbill entitled "The Constitutional Arrangements for the Implementation of the Decision at the Plebiscite",<sup>80</sup> setting forth the respective proposals by the two Governments, was not distributed until the beginning of February and thus did not reach the plebiscite staff until a week before the plebiscite. By that time it was too late to expect that the pamphlet could make any marked impression on the voters who, to all intents and purposes, had made up their minds on the alternative for which they would cast their vote. Even if the pamphlet had been distributed earlier it is doubtful whether its somewhat technical language could have been understood by a population whose comprehension of governmental organization and processes did not, by and large, go beyond the functioning of the Native Authority system. Although the pamphlet had been circulated in English and Hausa, it should be recalled that, in view of the prevailing high illiteracy rate in the Northern Cameroons, very few people indeed were in a position to read it. In these circumstances, its effect on the electorate may be said to have been negligible.

391. On the other hand, I am satisfied that the overall purpose of the campaign, namely to inform the public of the mechanics of voting, the location of polling stations and other related matters, was fully achieved, as the wide participation in the plebiscite subsequently was to prove.

## Chapter VII

### The political situation in the Northern Cameroons

#### A. SEPARATION OF THE ADMINISTRATION OF THE NORTHERN CAMEROONS FROM THAT OF THE NORTHERN REGION AND LOCAL GOVERNMENT REFORMS

392. Before going into the substance of the political situation, it may be useful to recall briefly the conditions and circumstances prevailing in the Northern Cameroons immediately prior to and during the plebiscite operation.

393. As has been already mentioned in paragraph 23 of the present report, the results of the 1959 Northern Cameroons Plebiscite were overwhelmingly in favour of the proposition that the people of the Northern Cameroons would decide their future at a later date. Commenting in my report upon the results, I stated that it appeared that the majority of the voters had

made use of the opportunity offered by the plebiscite to register what was in effect a protest vote against the system of local administration then prevailing in the Northern Cameroons. I stated further that the information I had gathered in the Territory supported the view that the people desired the introduction of reforms in the system of local government—which to them was synonymous with Government—and that one of the reasons the majority had voted in favour of the second alternative was to express the desire for a speedy introduction of these reforms.

394. In its resolution 1473 (XIV), the General Assembly recommended, *inter alia*, that the Administering Authority should initiate without delay the separation of the administration of the Northern Cameroons from that of the Federation of Nigeria and that this process should be completed by 1 October 1960. In accordance with a request contained in the same resolution, the Administering Authority submitted a report<sup>81</sup> to the Trusteeship Council at its twenty-sixth session, in which it outlined the measures contemplated to this end.

395. While General Assembly resolution 1473 (XIV) did not make it incumbent upon me to supervise the implementation of this particular provision, I deemed it appropriate to seek information from the Administrator of the Northern Cameroons concerning the practical application of the measures outlined by the Administering Authority in its report to the Trusteeship Council, since I wished to obtain information on the practical arrangements that had been made which might have a bearing on the plebiscite. In reply to my request, the Administrator transmitted to me a general statement outlining the steps which had been taken to effect the separation of administration.

396. The Administrator confirmed that the separation of the administration of the Northern Cameroons from that of the Federation of Nigeria was completed on 1 October 1960. Provision was made for a separate administration to be established in the Northern Cameroons in accordance with the Northern Cameroons (Administration) Order in Council 1960, whereby the powers of the Government are invested in the Administrator who is directly and solely responsible to the Secretary of State for the Colonies for the administration of the Territory. The staff of the Administration is seconded from the Government of the Northern Region of the Federation of Nigeria and all officers are appointed to their respective positions by the Administrator and are responsible to him. The Departments of the Government of the Northern Region are providing services to the Northern Cameroons on an agency basis. Under this arrangement they are rendering services in such fields as education, health, agriculture, etc., to the Territory, but all departmental officers who are stationed in the Territory or are visiting the Territory to carry out their duties fall under the direction and control of the Administrator. No policy decision affecting the Northern Cameroons can be taken by these Departments without the approval of the Resident acting under the Administrator's authority. The Northern Cameroons administration has its own budget and the Administrator exercises full financial control. Under regulation 34 of the Northern Cameroons (Administration) Order in Council, 1960, the existing laws which were in operation in the Northern Cameroons immediately before the commencement of the Order in Council con-

<sup>80</sup> See annex XXV.

<sup>81</sup> See *Official Records of the Trusteeship Council, Twenty-sixth Session, Annexes*, agenda item 17, document T/1530.

tinue to apply, subject to such amendments as the Administrator deems fit to make. By Law No. 1 of 1960, published in the *Northern Cameroons Gazette* No. 1 of 1 October 1960, the Administrator promulgated several amendments to certain of these laws.

397. As regards reforms in the system of local government, it will be recalled that the Administering Authority in the report referred to above [see para. 394 above] had informed the Council that on 7 December 1959 the Government of the Northern Region of Nigeria had appointed a Commission of Enquiry to ascertain the wishes of the people of the Northern Cameroons regarding their grouping into new administrative divisions and new Native Authorities.

398. In line with the recommendations made by the Commission of Enquiry, the basic unit throughout the Northern Cameroons became the administrative division consisting of a number of districts, each under a District Head, joined together under the jurisdiction of one or more Native Authorities. An Administrative Officer was placed in charge of each Division to advise and supervise the Native Authority or Authorities on behalf of the central government.

399. Prior to this re-organization, the Northern Cameroons had formed part of two administrative divisions located partly within the Trust Territory and partly within Nigeria, namely, the Adamawa (Emirate) Division of Adamawa province and the Wukari Division of Benue province. A third division, the Dikwa (Emirate) Division of Bornu province, lay wholly within the Trust Territory. An Administrative Officer was in charge of each Division.

400. Under the new arrangements, four divisions, located entirely within the Trust Territory were established. That part of the Northern Cameroons previously falling within the Adamawa Division was split into two Divisions: the Southern Trust Division with headquarters at Ganye consisting of the southerly districts, and the Northern Trust Division with headquarters at Mubi consisting of the northern districts.

401. That part of the Trust Territory formerly forming part of the Wukari Division, namely the three districts of Ndoro, Tigon and Kentu, became the United Hills Division. The Dikwa Division, already entirely within the Territory, constituted the fourth division.

402. The new divisions were separated from the provinces of Adamawa, Benue and Bornu and were grouped into one provincial organization under a Resident appointed to take charge of the new unit.

403. Within the administrative divisions, Native Authorities and under them district councils, are responsible for local government, advised and supervised by the Administrative Officers. The Authorities vary in size and composition and usually embrace a number of districts.

404. Before the re-organization of the local government system in the Northern Cameroons, that part of the Trust Territory which lay within the Adamawa Division came under the jurisdiction of the Adamawa Native Authority, while the three districts of Ndoro, Tigon and Kentu falling within the Wukari Division constituted a subordinate Native Authority to the Wukari Native Authority Federation. Dikwa Division had its own fully autonomous Native Authority.

405. After the re-organization, two new independent Native Authorities were established in the new Southern Trust Division, namely, the Chamba Native

Authority with headquarters at Ganye and the Gashaka-Mambilla Native Authority with headquarters at Gembu. The districts of the newly formed Northern Trust Division were grouped together to form the Mubi Native Authority with headquarters at Mubi. In the Dikwa Division, the Gwoza district was given its own Native Authority, while the remainder of the districts continued to remain within the Dikwa Native Authority. The United Hills subordinate Native Authority remained federated with the Wukari Native Authority until 1 October 1960, but thereafter became an independent Authority.

406. The Administering Authority further reported to the Trusteeship Council at its twenty-sixth session that along with the geographical re-constitution of the Native Authorities, the Authorities themselves would be democratized. This had been done, or was about to be done, by the abolition of all district councils, town and outer councils in the Northern Cameroons which had been established under the method of indirect elections. It was hoped that new elections (for the elected members of these councils as distinct from the nominated and ex-officio members), based on secret, direct and adult male suffrage, would be completed by the end of May 1960, except in the United Hills Division where this method had been used in the 1959 elections. In certain cases, former district heads found to be unacceptable to the people were withdrawn and were replaced by temporary appointments. After the elections it was planned to ask the district councils to confirm their acceptance of the district heads.

407. The Native Authority Councils were then to include members elected up from the District Councils. When these councils were formed, consultations would take place with the members regarding the appointment of the heads or chairmen of the Native Authority Councils. In cases where new Native Authorities had been created, the Administering Authority reported the arrangements that had been made for the equitable division of the assets and liabilities of the former Native Authority.

408. It was learned during the plebiscite period that the elections, based on adult male suffrage and by secret ballot, were held as planned for the new district and town councils during the middle of 1960. Some new districts were created and others renamed; at the same time, certain village areas were also re-arranged. Subsequently, the new district and town councils had elected members, by secret ballot, to the Native Authorities and these Authorities had begun functioning. On the abolition of the old district and town councils a number of district and village heads and staff were dismissed or retired.

409. The district councils are now composed, in varying combinations, of a majority of elected members, a number of *ex officio* village heads and a number of nominated members representing special interests and minority groups.

410. The Native Authority Councils are similarly composed of a majority of elected members (except in Dikwa), *ex officio* district or village heads and nominated members, except that the elected members of these councils are elected up from the district councils and not by direct election. The *ex officio* members of the councils were appointed in consultation with the district councils within the particular Native Authority and with the elected members of the Authority. Each Council chose its own Chairman or President.

411. The functions of the Native Authorities vary. In general they are responsible for the levying of taxes for local services, the appointment of local government staff, local education and health services, maintenance of law and order, agriculture and veterinary services, etc.

412. The Native Authorities usually meet about once a month and since their establishment have elected various types of Committees responsible for the different aspects of their administration. Thus the Gashaka-Mambilla Native Authority which was established on 19 September 1960, has set up a general purposes committee which acts as its executive committee and an establishment committee whose task it is to make recommendations to the Native Authority Council on all matters in respect of Native Authority staff. Similarly, the Dikwa Native Authority is advised by the following committees in the discharge of its functions: education committee, finance committee, appointments and discipline committee, development committee, general purposes committee, Shuwa Land Disputes Committee and the Tenders Board (for the granting of contracts). Members of these committees are elected annually and include besides some councillors, members of the Native Authority staff and qualified persons from among the public. The education committee also includes a woman for the first time. The Gwoza Native Authority, representing the Gwoza District and which, as already noted, was formed out of the Dikwa Native Authority upon the re-organization of the Native Authorities, has elected an executive committee of four which includes two educated men who were formerly school teachers.

413. The United Hills Native Authority in which there was no modification of membership, has an appointed administrative councillor assisted by a staff of twenty-two for managing its day-to-day local government affairs. The Council has created a finance committee composed of five of its elected members and the administrative councillor.

414. Generally, with a shortage of trained staff and with the greater number of their members illiterate, the Native Authority Councils still depend to a large extent for advice and guidance upon the administrative officers.

415. With the re-organization of the local government system, certain of the district councils have been given increased powers. In Dikwa, the seven district councils have accordingly acquired new executive and fiscal powers and can now spend, without prior approval from the Dikwa Native Authority Council, district council funds. They can also for the first time levy rates for certain public services, engage, control and discipline their staffs. They also "shall make recommendations" to the Native Authority Council regarding a variety of subjects such as adult education, reading rooms, communal forests, nurseries, roads, sanitary services, etc. . . . The range of powers that can be delegated to the district councils by the Native Authority has also been increased.

416. The Mambilla District Council—a newly created council—besides having an important advisory function in regard to the Gashaka-Mambilla Native Authority, levies tax for local services and has fulfilled the desire of the Mambilla people to have a local authority in their own district and to be separated from the administration of the Adamawa Emirate.

417. As already noted, village areas were in certain cases re-arranged. Thus, in the Dikwa Native Author-

ity area, the village areas were streamlined and placed under village heads. These are the lowest ranking Native Authority officers. They assist in tax collection, maintenance of law and order, reporting births, marriages, deaths, etc. The hamlet heads ("balumas") elect the village heads by a "division of the house", i.e., the candidates are set apart and the balumas sit behind the one they wish to vote for. It may be noted, in passing, that twenty village heads from the former régime were dismissed or retired and that fifteen of them were in jail for malpractices at the time of the plebiscite period.

418. In the application of the measures outlined above concerning the separation of administration of Northern Cameroons from that of the Northern Region and the introduction of reforms in local government, the Administering Authority took into account certain practical considerations.

419. Because of the extremely low level of education in the Territory, there was at the time of separation of administration an insignificantly small number of trained Cameroonians capable of being absorbed into the central administration of the Northern Cameroons local government.

420. As regards expatriate staff, it would have been in the Administrator's view wholly impracticable to bring to the Territory and to employ in its administration expatriate officials from the United Kingdom or from British territories who were neither acquainted with the problems of the area nor able to communicate with the people in the local languages. It was for these reasons that the Administering Authority decided to retain on a secondment basis from the Northern Region Government the services of such numbers of officials (British as well as Nigerians) as were required for the administration of the Northern Cameroons. Their numbers, although limited during the period when the Territory was administered as a part of the Northern Region, had to be supplemented by additional staff when the administration of the Northern Cameroons was constituted as a separate unit with its own administration. These officials, including the newly appointed Resident, were also seconded to the Northern Cameroons from the Northern Region Government.

421. It was inevitable that the links of the above officials with the Northern Region Government, which most of them had served for some years past, as well as their known sympathies towards Nigeria, would open the door to suspicion of partiality and become the subject of bitter complaints from the parties which favoured union with the Republic of Cameroun. However, no specific evidence of impropriety was brought to light.

422. As regards the Native Authorities it was an inescapable fact that despite the reforms which the Administering Authority undertook to introduce with a view to democratizing the Native Authority system, in practice, district and village heads as well as other high officials of Native Authorities continued to exercise, as in the past, a large measure of authority. It was not unusual for persons who criticized or in any way questioned the powers and actions of such officials to be regarded as challenging the position of established authority and endangering law and order. Therefore, persons who were critical of Native Authorities or held different points of view were frequently exposed to the risk of prosecution for defiance of established authority. According to reports received from the field, a considerable number of district and village heads favoured the Nigerian proposition. Their influence on the electorate

cannot be minimized, although personal and group loyalties, as well as the campaign conducted by political parties, sometimes cut across the hegemony of district heads and members of the Native Authorities.

423. In the light of the high degree of power devolving upon the Native Authorities and, through them, on the Native Courts, anyone challenging this power, whether by word or deed, could expect to be dealt with severely, and by the time of my arrival in the Territory there were already indications that because of this the NKDP/KFP Alliance was experiencing difficulties in carrying out its political activities. I have not felt it necessary to describe here the administrative and political structure of local government, commonly referred to as the "Northern System", and the principle of "indirect rule" which prevails in the area, inasmuch as it is already known to the Trusteeship Council and the General Assembly. The most recent account of this system is given in the report of the 1958 Visiting Mission to the Cameroons under United Kingdom Administration.<sup>32</sup>

#### B. POLICE FORCES IN THE NORTHERN CAMEROONS

424. In the course of the discussions I had with the Administrator in October 1960 concerning the organizational and other aspects of the Northern Cameroons Plebiscite, I took the opportunity of calling his attention to the reference made to police forces in resolution 2013 (XXVI) which had been adopted by the Trusteeship Council at its twenty-sixth session, on 31 May 1960. In operative paragraph 1 of that resolution, the Council had requested the Administering Authority to take into account the observations and suggestions made at that session in completing the separation of the administration of the two parts of the Territory from that of the Federation of Nigeria not later than 11 October 1960, ensuring, in particular, the existence thereafter, and until the completion of the plebiscites in the Territory, of police forces wholly responsible to the authorities in the Territory.

425. I recalled that during the discussions which had taken place prior to the adoption of resolution 2013 (XXVI), a number of members of the Council had expressed the view that by October 1960 the police would have been recruited entirely from within the Trust Territory, while others had felt some apprehensions over the independence and impartiality of police forces which might be seconded to the Territory from the Federation of Nigeria. I also recalled that the representative of the Administering Authority had, in replying, emphasized that the Administrator of the Northern Cameroons would be directly and solely responsible to the Administering Authority for the maintenance of law and order and that the use and operational control of the police would be vested constitutionally in him. The Administrator would exercise his responsibility through a police force under the command of the Senior Police Officer in the Northern Cameroons, and the police would be seconded from 1 October 1960 for the whole period in question. The Senior Police Officer would be directly responsible to the Administrator for the operation and the use of the police force and he alone, under the authority of the Administrator, would give them their orders.

426. The representative of the Administering Authority had also stated that in carrying out their duties these officers would not be answerable to the Inspector-

General of the Nigeria Federal Police. He had stated that during their period of secondment, police in the Northern Cameroons would be controlled by the Senior Police Officer, and while it could not be absolutely guaranteed that there would be no replacement from outside, owing to factors such as the death or sickness of a commissioned officer, the intention was that the control of the forces, including staffing, should be exercised from within the Territory. He had assured the Council that there would be no Nigerian commissioned officers in the North, but that some of the other ranks would be Nigerians.

427. In conclusion, he had stated that the Administering Authority exercised the responsibility for maintaining law and order in the Territory and would make whatever provision might be necessary to meet this responsibility.

428. Since it will be appreciated that the undertaking given to the Council during its twenty-sixth session by the Administering Authority was of a general nature because it was obvious that some matters of detail and organization as regarded the police force were then still in a preliminary stage, I requested the Administrator to confirm what actual arrangements had been made in this matter. Subsequently, on 5 November 1960, the Administrator confirmed that he was in fact and in law directly and solely responsible to Her Majesty's Government for the maintenance of law and order and that the use and operational control of the police force had been vested in him. He called my attention to regulation 11 of the Northern Cameroons (Administration) Order in Council, 1960, which provides:

"1. Any contingents of the Nigeria Police Force that may be stationed in the Northern Cameroons in pursuance of any arrangements made between Her Majesty's Government in the United Kingdom and Her Majesty's Government of the Federation of Nigeria shall have such powers and duties as may be conferred upon them by any law in force in the Northern Cameroons and shall be under the command of such Officer of the Nigeria Police Force as may be designated in that behalf by the Administrator.

"2. The Administrator may give to the Officer commanding the contingents of the Nigeria Police Force stationed in the Northern Cameroons such directions with respect to the maintaining and securing of public safety and public order as he may decide are desirable (including directions with respect to the use and operational control of those contingents) and the Officer commanding the contingents shall comply with those directions or cause them to be complied with."

429. The Administrator stated that by virtue of the powers conferred on him by the above section, he had (by Northern Cameroons Notice No. 4 of Gazette No. 1, Volume 1, dated 1 October 1960) designated Mr. F. A. B. Randall, a United Kingdom national, to be Assistant Commissioner of Police and to command the contingent of Nigeria police seconded to the Northern Cameroons. He confirmed that this officer was directly responsible to him as Administrator for the operation and use of this police force, and this officer alone, under the authority of the Administrator, gave them their orders.

430. The full establishment of the police force totalled 172 officers and men. Under the Assistant Commissioner of Police were three Superior Police Officers,

<sup>32</sup> *Ibid.*, Twenty-third Session, Supplement No. 2.

all United Kingdom nationals, seconded from the Nigeria police, one in charge of the Dikwa Division Headquarters in Bama, one in charge of the Northern Trust Division Headquarters in Mubi, and one in charge of the Southern Trust Division Headquarters in Ganje. There were no Superior Police Officers of Nigerian nationality in the Territory.

431. The Administrator confirmed that the secondment of the force was for the period of the plebiscite and that while replacements might be necessary owing to sickness, other transfers would only be at his direction. He stated further that in carrying out their duties in the Northern Cameroons, none of the police forces stationed there were answerable to the Inspector-General of the Federal Police. To distinguish them as a separate force from the Nigeria police they wore shoulder badges marked "T.T.P." (Trust Territory Police).

432. In addition to the official notification published in the *Northern Cameroons Gazette* referred to above, the Administrator published the following notice which was distributed throughout the Northern Cameroons, both in English and in Hausa:

"It is notified for general information that His Honour the Administrator has, in accordance with Section 11 (1) of the Northern Cameroons (Administration) Order in Council, 1960, appointed Mr. F. A. B. Randall, Acting Assistant Commissioner of Police (the Nigeria police), to command the Police Force in the Northern Cameroons.

"The Police Force of the Northern Cameroons is, in accordance with the Constitution approved by Her Majesty the Queen under the operational control of His Honour the Administrator.

"Whilst serving in the Northern Cameroons, all members of the Nigeria Police Force operate as the Trust Territory Police and have all the powers of a Police Officer exercisable in accordance with the law.

"It is the duty of all citizens of the Northern Cameroons to comply with the lawful direction of all Administrative Officers, Police Officers, Native Authorities and Government Servants vested with statutory powers. Such Officers are all members of the Government Service of the Northern Cameroons and exercise their powers under the Constitution of the Northern Cameroons and the laws applicable to and binding on the Territory."

433. In addition to the contingent seconded from the Nigeria police, there were in the Territory some 350 Native Authority police, all Northern Cameroonians, exercising their powers under the various Native Authorities concerned. In certain circumstances, these Native Authority police could be placed under the control of a Superior Police Officer, particularly in cases of riot or civil disturbance.

434. The Administrator informed me that in order to improve the efficiency of the Native Authority police and with a view to ensuring an adequate reserve for reinforcing the Trust Territory police, a school in Mubi had been established for the training of from 45 to 60 Native Authority police who would be available to supplement the regular police force, should occasion arise.

435. In reply to my question whether particular instructions had been issued to the police to guide them throughout the various phases of the plebiscite, the Administrator stated that both the Native Authority police and the Nigeria police seconded to the Territory were expressly forbidden to enter into politics and that spe-

cial written instructions were not necessary as the police force, at all times, operated under standing orders calling for civility to members of the public, impartiality, the carrying out of duties without fear, favour, malice or ill-will, and dealing promptly with complaints by members of the public. He stated that he had therefore contented himself with addressing the police force itself on the duties of police officers in the plebiscite and impressed on them that it was their paramount duty to exercise complete impartiality. He had also instructed the Senior Police Officer to see to it that the standing orders and the Administrator's remarks on the matter were impressed on all members of the police force. He was satisfied that this had been done and that the Trust Territory police had conducted themselves properly and impartially and would continue to do so.

436. During February 1961 reports reached me that the existing police force in the Northern Cameroons had been reinforced. I addressed an inquiry to the Administrator on this subject and was informed that during January 1961 a total of fifteen police had been seconded from Nigeria to the Trust Territory to complete the establishment of 172 officers and men as had originally been agreed upon between the United Kingdom Government and the Government of the Federation of Nigeria. He stated categorically that no other Nigerian police had been brought into the Territory either before or after the plebiscite.

#### C. THE POLITICAL PARTIES AND THEIR ACTIVITIES IN THE PLEBISCITE

437. All major political parties in the Federation of Nigeria, for purposes of the plebiscite, combined forces in active support of the alternative favouring union with the Federation. The Northern Peoples Congress (NPC), the Northern Elements Progressive Union (NEPU), the National Council of Nigeria and the Cameroons (NCNC) and the Action Group (AG) informed the Administrator of the Northern Cameroons by letter of 28 October 1960 that they had joined together "in order to seek the vote for joining Nigeria." The headquarters of all the above mentioned parties and their principal leaders were in the Federation of Nigeria; some, like the NPC, had branches throughout the Northern Cameroons, and others had branches in a few districts only. The Northern Cameroons branches of the Nigerian parties acted on this occasion as a group which throughout the campaign became known as the "Consortium" or *Jam'Iyyar*<sup>33</sup>. Its activities were directed by a political leader of the Northern Region of Nigeria, the Wambai of Daura, who had taken leave of absence from his post of Minister of Local Government for the duration of the plebiscite. In some cases, however, local branches of some of these parties in the Northern Cameroons did not necessarily endorse the Consortium's aims. It was reported from various districts that local branches of the AG were actually allied with the Northern Kamerun Democratic Party (NKDP) and actively supported the alternative favouring union with the Republic of Cameroun, although the Nigerian AG continued to give support to the other proposition. In the Chamba, Mubi, and Cubunawa-Madagali districts, the Consortium was joined by the

<sup>33</sup> Abbreviation of "Jam'Iyyar Tarayya Don Haduwa Da Nigeriya", or "Jimayar Ta Kamanu dai Aiki Na Daianchi dai Nigeriya" which freely translated from Hausa is said to mean "The United Parties working for the Union of the Territory with Nigeria".

small *Habe*<sup>44</sup> party concerning which some details are given below (see para. 447).

438. The alternative for union with the Republic of Cameroun was supported by the Northern Kamerun Democratic Party (NKDP) and the Kamerun Freedom Party (KFP), both of which originated in the Northern Cameroons, the former in 1959 and the latter in 1960. Their leaders were Cameroonians. Initially the KFP favoured statehood for the Northern Cameroons within the Federation of Nigeria and in this had the support of the AG. Later on, however, it switched to support union with the Republic of Cameroun. These parties, with branches in several districts, were largely active in Cubunawa-Madagali, Mubi and Chamba. Because they did not appear to enjoy any substantial outside support during the early stages of the plebiscite campaign, they appeared to operate under considerable financial handicaps. By the end of the registration period, however, both the NKDP and KFP began to campaign on a larger scale, making use of such propaganda material as posters and gowns with the imprinted likeness of President Ahidjo. They also put at the disposal of their organizers bicycles and some motor vehicles and vans equipped with loudspeakers. The acceleration of their activities coincided with the increase in the interest shown by the Republic of Cameroun in the plebiscite. Moreover, as the campaign drew closer to polling day there were growing indications that the NKDP/KFP Alliance of parties was receiving mounting assistance from political sources within the Republic. High-ranking political leaders of the Republic toured extensively in the Northern Cameroons, met frequently with leaders and supporters of the NKDP and KFP and assisted in directing the campaign conducted by these parties.

439. To gain a wider understanding of the political situation in the Northern Cameroons, and of the relative strength of the parties in the various districts and their objectives in the most recent political activities, it may be useful to recall that in the Federal Nigerian elections which took place shortly after the 1959 plebiscite, the NPC won by a comfortable over-all majority in the constituencies of Dikwa North and Dikwa Central and by a small majority in Adamawa North East (Mubi) on a widely-split vote. In the other constituencies, namely Gwoza, Cubunawa-Madagali, Chamba, Adamawa South and Wukari (which included the United Hills District), the AG candidates were elected by large majorities. The NKDP did not contest these elections, but both the President-General of the KFP and the President of the Chamba branch of the KFP were elected on the AG ticket. The conjecture cannot be avoided that the decision of the AG to join the other Nigerian parties in support of the alternatives for union with Nigeria may have had a bearing on the plebiscite results in the Cubunawa-Madagali district. A similar consideration could possibly be applied to the situation in the Chamba district where the local branch of the AG, as is noted below, decided to support the alternative for joining the Republic, thus divorcing itself from the policy adopted elsewhere by the AG. The plebiscite vote in Cubunawa-Madagali favoured union with the Federation of Nigeria, whereas in Chamba it favoured union with the Republic of Cameroun (see para. 591 below).

440. The intensity of the political campaign, which reached its peak between the latter part of January and

early February, varied from district to district and was in direct proportion to the strength and following of the respective parties in each district.

441. In *Dikwa North*, there was no sign of any political campaign either before, during, or immediately after registration. At the end of December, posters of various types and sizes appeared urging the people to vote for union with Nigeria. No posters urging union with the Republic were seen anywhere. By the end of registration, however, representatives of the parties favouring union with the Republic, some of whom wore and distributed gowns with the portrait of President Ahidjo printed in the fabric, began campaigning in villages bordering on the Republic. Closer to polling day, the Emir of Dikwa and his entourage visited many villages to rally the people in support of union with Nigeria, and two Deputies from the Republic of Cameroun together with several other representatives also toured the district, privately encouraging supporters championing the cause of union with the Republic.

442. By letter of 7 February 1961, the liaison officer of the Republic of Cameroun in Mubi complained to me that on 3 February the Resident of the Northern Cameroons, accompanied by the senior district officer of the Dikwa Division had paid a visit to the village of Siguel, had called the people to a meeting, had campaigned in favour of the alternative for union with the Federation of Nigeria, and had warned at the same time that punishment would be meted out to village heads whose people voted in favour of union with the Republic of Cameroun. This complaint was brought to the attention of the Administrator, who, on 12 February 1961, replied that the allegations contained in the letter from the liaison officer from the Republic were completely unfounded and untrue. The Resident, the Administrator stated, had called the meeting to explain to the people the importance of the plebiscite and the value of the vote. Allegations that he threatened the crowd with imprisonment and intimidation were reported by the Administrator to be entirely devoid of any foundation.

443. *Dikwa Central*, which was considered to be a stronghold of the NPC, had the largest electorate, exceeding as it did by fifty per cent the total number of registered voters in the next highly registered district. It was not surprising, therefore, that the Consortium, through its local leaders, made early and determined efforts to consolidate its position in this district. In the later stages of the campaign, the NKDP/KFP Alliance moved into Dikwa Central, which was also toured by visiting Deputies from the Republic of Cameroun. The campaign was carried out without disturbances of any consequence. The complaints presented by the parties favouring union with the Republic received full attention on my part and, as a consequence of my representations to the authorities, measures were generally taken to remove the causes of the complaints. The close vote in Dikwa Central would seem to indicate that the people in this district, despite the campaign conducted by the political parties, exercised a large measure of independence in voting for the alternative of their choice. Despite the intense political campaign conducted in the district by the Consortium of parties favouring union with Nigeria, the vote in favour of the alternative for union with the Republic showed surprising strength. Areas along the Republic's border, as well as large population centres, went against union with the Republic and areas close to Nigeria went against union with Nigeria.

<sup>44</sup> The name *Habe*, it was reported, is a Fulani term for "pagans" or "indigenous people".

444. In *Gwoza*, there was no evidence of any organized political campaign by political parties until late January and early February. A few weeks before polling, prominent political figures from both groups of parties went to Gwoza to hold private meetings, but no public rallies were conducted. There was little indication that the political campaign had a significant effect on the result of the vote.

445. The political campaign in the *Cubunawa-Madagali* district was active and lively. Here both the Consortium and the NKDP/KFP Alliance had established themselves fairly effectively and had begun canvassing the people earlier than in the districts lying to the north. The President and the General-Secretary of the KFP resided in Michika, the largest town in Cubunawa and the Vice-President of the NKDP had his home in Madagali. The numerous and well-attended mass meetings which were conducted by the two groups of parties, attested to the intensity of the political efforts as well as to the interest of the population in the issues at stake. As the campaign wore on, both groups of parties shared an increasing tendency to hold fewer public meetings and relied more heavily on door-to-door canvassing. Certain incidents which occurred in this district during the political campaign, are discussed in the sections dealing with arrests and the issuance of permits for public meetings (see paras. 452 to 489 below).

446. Since the Administrator had selected Mubi Town in the *Mubi* district for his administrative headquarters, this district, which also included the second largest number of registered voters, was of particular importance. In addition, all plebiscite operations in the Northern Cameroons were directed from Mubi where I had also established my own field headquarters. Mubi was also the headquarters of the Northern Region Information Centre and, later on, of the Liaison Officer of the Republic of Cameroun who, at the same time, directed all information activities carried out on behalf of the Government of the Republic. Political parties maintained close contact with these headquarters and, at the same time, tended for reasons of convenience to submit most of their petitions and complaints directly to the Administrator or to my headquarters. Throughout the campaign, both groups of political parties conducted numerous lectures and meetings, all of which appeared to be orderly and were well attended. Posters, mostly in the Hausa language, in support of both alternatives were distributed everywhere.

447. In *Chamba*, with a total number of registered voters close to that of Mubi, the political campaign got off to a slow start, but as in most of the other districts, political activity increased noticeably between the second half of January and the beginning of February. The Consortium of parties favouring union with Nigeria was joined in this District by the small *Habe* party. In Nigerian local politics the *Habe* party, which drew its main support from the pagans in Chamba, was affiliated with the AG and its center of activity was in the Bauchi area. The two groups of parties appeared to be well supplied with propaganda and other materials which, no doubt, were made available by the Nigerian parties, in the case of the Consortium, and by sources in the Republic in the case of the NKDP/KFP Alliance. These included bicycles, posters and leaflets, as well as some Land Rovers. The Consortium was also reported to have distributed medals commemorating the attainment of self-government by the Northern Region of the Federation of Nigeria, and the NKDP/KFP Alliance is claimed to have supplied their supporters with gowns

imprinted with a likeness of President Ahidjo. Once the campaign was in full swing, hardly a market day went by without a lecture being given by either group of parties. On the whole, these lectures were well attended and the people seemed to be interested in the issues. The meetings were orderly and virtually no incidents were reported. Although the area was toured extensively by dignitaries from Nigeria and the Republic of Cameroun, there was no evidence that they took part in political lectures or publicly campaigned in the plebiscite. Party organizers and speakers of both political groups moved freely about the area and, on the whole, met with a friendly reception. Minor incidents took place, mostly caused by children shouting slogans against the party holding the meeting, or throwing stones which caused no injury or major disturbance. Hardly any complaint concerning these incidents reached the United Nations Observer. On a few occasions the contending political parties held processions in which they displayed their banners. In Chamba, where a substantial number of district and village heads, as well as councillors were known to be members or sympathizers of the NKDP/KFP Alliance, the vote was substantially in favour of the alternative for joining the Republic of Cameroun.

448. In the *Gashaka-Toungo* district, the Consortium of parties supporting union with the Federation of Nigeria was well organized. The campaign of the Consortium was lively and was carried out with vigour. Numerous public meetings were held in the larger towns, but campaigners for the Consortium made every effort to visit the smaller localities as well. Posters were also displayed stressing the advantage of joining Nigeria and warning against the "evils of joining the Republic". As in Chamba and other districts, the Consortium provided its local party workers with bicycles, horses and even vans equipped with loudspeakers. The NKDP/KFP Alliance concentrated its efforts in the Toungo-Kiri-Dawa area, which had a potential electorate of over 4,000 out of the total of 9,553 voters in the district. In this area, where it appeared to have a reasonably strong following, the NKDP/KFP Alliance distributed few, if any, posters but directed its appeal to individuals and small groups in private meetings, although a few public meetings were also conducted. Deputies from the Republic attended these meetings as guests. They also paid occasional visits to communities in the district where they talked to people in private, but did not participate in rallies. In the Toungo area, the parties distributed to about 200 of their supporters garments bearing the imprint of a likeness of the President of the Republic of Cameroun.

449. At the beginning of the plebiscite operation, there was little political activity in the *Mambilla* district, except for an extensive tour undertaken by the district head, who lectured to the people in favour of the alternative for joining the Federation of Nigeria. During the second half of December, political activity increased and representatives from both groups of parties began touring the district. Both the NPC and the NKDP campaigned actively, but none of the other parties showed a marked interest in the campaign. Posters were distributed by the NPC and the NKDP encouraging people to vote for the alternative advocated by each. The NKDP representatives encountered some difficulties in obtaining permits for conducting political meetings during the early stages of the plebiscite, but after the issuance of the proclamation for the control of processions and assemblies in early December, the situa-

tion improved and the United Nations Observer in Mambilla informed me that permits were granted equally to members of the NPC and NKDP. Public meetings were held in many villages in the district between the end of January and the first week of February.

450. In the *United Hills* district the political campaign for the Nigerian alternative was conducted exclusively by the NPC. All local organizers were selected from among the members of the local branch of this party, which received funds, publicity material and vehicles (including one Land Rover and bicycles) for propaganda purposes. Local meetings were conducted frequently during most of the plebiscite period, the main speakers being members of the local branch of the party, others usually being one or two campaign organizers. The NKDP was not politically active in the United Hills district.

451. From the outset, it was necessary to discuss with the Administrator of the Northern Cameroons the general situation in which the plebiscite campaign was to be conducted and the measures which should be taken to ensure, in the light of circumstances prevailing in the Territory, the free exercise of the political rights of all parties concerned. An account of the discussions held in this regard throughout the plebiscite period, the representations made to the Administrator and the measures taken as a result of our numerous consultations regarding the main problems that were encountered during the plebiscite is given in the following sections, together with a brief summary of the meetings which I held with leaders of political parties.

#### 1. Question of arrests

452. Shortly after his arrival in the Territory, the United Nations Liaison Officer in Mubi informed me of the receipt of several petitions from the NKDP protesting against the arrest and continued detention of six persons known to be supporters of the proposition favouring the Republic of Cameroun. The arrests had been made under section 393 of the Penal Code of the Northern Region of Nigeria which continued to apply to the administration of justice in the Northern Cameroons and which, at the time, did not appear to be applied with restraint. This section of the Code refers to "injurious falsehood" and gives the Native Authorities the power to punish with imprisonment for terms of up to two years "any person who, by words either spoken or reproduced by mechanical means or intended to be read or by signs or by visible representations, makes or publishes any false statement of fact, intending to . . . harm the reputation of . . . the Government or of any Native Authority . . . or of any local government authority". Section 393 also places the burden of proof that a statement is substantially true on the accused and confers on the Court the power to decide whether a statement is a statement of fact or a mere expression of opinion and, consequently, confers on the Native Authorities, and through them on the Native Courts, virtually arbitrary powers of adjudication.

453. At a meeting held with the Administrator in Mubi on 7 November 1960, I expressed my concern over the matter of arrests. The Administrator replied that so far only one complaint of an arrest of an NKDP member had actually come to his personal attention, that this man had been arrested erroneously two days previously, but had since been released. He further stated that while this particular case, in itself, was not

too important, it was in fact symptomatic of a problem which could not be ignored. He proposed, therefore, to take steps to remedy the situation immediately upon his return from London, whither he was about to proceed.

454. The matter of arrests was pursued at my direction by the liaison officer in Mubi who by letter of 10 November 1960 transmitted to the senior district officer a list of reported cases of arrest. In response, the senior district officer invited the liaison officer to visit the Mubi jail for the purpose of interviewing each of the prisoners. After reviewing the contents of the several warrants of arrest, the liaison officer with the senior district officer present, interviewed the six prisoners involved. He reported to me that of the six, one was sentenced for contempt of court, another for cutting down without permission a protected tree in a forest reserve, a third one for having delivered a "lecture" without having secured a permit, a fourth for having threatened to kill the son of a man who had killed his father, a fifth was sentenced under section 393 of the Penal Code for "making trouble and misinforming the people concerning the Native Authority Court", and a sixth, the Organizing Secretary of the NKDP at Jada, on charges of subversion and sedition.

455. On 21 November 1960, the liaison officer on my behalf again drew the Administrator's attention to the charges made by the NKDP and KFP that the Trust Territory and the Native Authority police, particularly in the Cubunawa-Madagali district, were arresting and speedily convicting supporters and adherents of these parties. In his letter of reply of 25 November the Administrator advised that he had issued instructions to the effect that cases coming under section 393 of the Penal Code were to be removed, at the discretion of the resident and the senior district officer, from the Native Court to the Court of next appellate instance, and prosecution under this section would take place only with the advice of the Legal Secretary of the Northern Cameroons. In the same letter the Administrator commenting *in extenso* on the aspect of arrests in the liaison officer's letter of 21 November, stated the following:

(a) Suleiman Salihu, Organizing Secretary of the NKDP at Jada, had made a speech on 10 October inciting his listeners to violence and riot against the constituted authority of the Government, quoting the Congo as an example to follow. He was summoned to appear at the Native Court, but having failed to do so, was arrested and sentenced to one year's hard labour.

(b) The case of *Malam Hamman-Jalo*, a person concerning whose history and activities information is contained in the 1958 United Nations Visiting Mission's report,<sup>35</sup> arose from an offence of drinking; later he was again arrested on charges of holding a public meeting without a permit, but was released on bail. His case was transferred to the Magistrates' Court to avoid any claim of partiality.

(c) On 11 November, *Malam Umaru Micika*, President of the KFP, requested an interview with the Administrator and made the allegation that the jail had been filled with people because of their political associations. He was asked for the prisoners' names but was unable to provide any. He then asked permission to visit the jail so that he could find out who they were. *Malam Umaru Micika* visited the jail and produced a list of seven cases; one Buba Micika, in a letter to the

<sup>35</sup> See *Official Records of the Trusteeship Council, Twenty-third Session, Supplement No. 2*, p. 53.

United Nations liaison officer, produced a list of four others. The report of the senior district officer showed that the eleven prisoners were being detained on the following charges:

- (i) Buba Maradi: Assault;
  - (ii) Samuga Kirchinga: Concealing thieves in his house;
  - (iii) Umaru Chakawa Madagali: Failing to pay tax for two years;
  - (iv) Usuman Bake Nicika: Six months imprisonment. Holding a public meeting without a permit;
- The following was the position of the seven who had been convicted:
- (v) Suleiman Salihu: One year's hard labour for inciting to riot (already referred to above);
  - (vi) Saidu Gulak: Six months, for an offence under section 393 of the Penal Code. Shortly after arriving in the Territory the Administrator received a petition concerning this man. He perused the case file and could see no grounds of any kind for intervention. The accused pleaded guilty and, having appealed to the Provincial Judge, did not wish to appeal to the High Court;
  - (vii) Amadu Sikari: Nine months, for threatening to kill. He did not wish to appeal;
  - (viii) Zira Baki Zaggara: Three months, for contempt of court for refusing to answer a summons;
  - (ix) Kasile: Three months hard labour for cutting down protected trees. An enquiry was being made into this case as the sentence seemed heavy for the offence, but it did not in any way appear to be of political significance. The man did not wish to appeal;
  - (x) Usuman Bake Micika: Six months imprisonment (see (iv) above);
  - (xi) Tumba: Three months, for holding a public meeting without a permit.

456. The Administrator went on to state that one of the allegations which had been made by the NKDP was that the Native Authorities were filling the jail in order to prevent people from registering. He also stated that since they had been able to produce only the names of ten from among the more than 260,000 persons registered in the plebiscite, this fact seemed to support the view held by the Native Authorities that any charge, however wild, would be levelled against them by the NKDP and the KFP "in the hope that it may stick somewhere". Concerning the arrest and speedy conviction of leaders and supporters of the NKDP and KFP, particularly in the Cubunawa-Madagali area, the Administrator gave the following account of the only arrests made by the police, of which he was aware, that seemed to have any political connotation:

(i) Fayamu Gulak and Abba Gana Gulak were arrested by the police in Mubi on the charge of assault on the son of a head man who had been sent by his father to enquire about the meeting which the local leaders of the NKDP in the Gulak-Madagali area had organized.

(ii) Suleiman Salihu, already referred to above, was charged and sentenced for incitement to riot.

457. The three cases mentioned above, to which should be added that of Hamman-Jalo, were, according to the Administrator, the sum total of arrests resulting from political activities. The police had, however, dealt with some 150 cases of petty theft and other crimes in Mubi, which is a large market centre. The Administrator also stated that he was investigating the case

of Daniel Njenwe, Vice-President of the KFP, who was charged under section 393 of the Penal Code with uttering an injurious falsehood, but had been released on bail. While the Administrator was satisfied that the district head had acted in this matter in good faith, he was not altogether satisfied that a breach of the law was involved. He had therefore transferred this case to the Magistrates' Court and the files in the case were sent to the Public Prosecutor for such action as he might deem appropriate.

458. The Administrator stated further that, in regard to section 393 of the Penal Code, he was not satisfied that this section was a suitable one for the Native Authority police and the Native Courts to apply in the present circumstances without guidance, and he had therefore amended the law in the manner referred to in paragraph 455 above. While this decision met the point raised in connexion with the application of section 393 of the Penal Code, I felt, nevertheless, that it was desirable to effect further liberalization in the treatment of cases of political significance. I therefore suggested that the Administrator might consider, in cases involving offences of a political nature, the possibility of imposing fines instead of prison sentences, in order not to deprive persons charged with such offences from participation in the campaign.

459. Having given the matter consideration, the Administrator informed me on 2 December 1960 that he found it difficult to impose his views on the Native Courts, because, as with any judicial organ, they should be independent. At the same time he wished to avoid giving political parties an opportunity to undermine the authority of the Native Authorities and Native Courts. Nevertheless, he had instructed all local authorities that persons convicted of having held public meetings without a permit, as well as first offenders, should not be sentenced to imprisonment. He felt, however, that the existing laws should apply to all second offenders. As a further step to ensure the fairest possible treatment for prisoners, consideration was given to the possibility of permitting them to engage legal counsel from sources outside of their jurisdiction, including the Republic of Cameroun. However, as no provision existed for the appearance of defence lawyers in the Native Court procedure, this possibility was ruled out.

460. It is an inescapable fact that prior to the introduction of the modifications concerning the application of section 393, it was open to Native Courts to use the provisions of this section as a powerful weapon. If they so wished, they could arrest and bring speedily to trial persons affiliated with or supporting political views which were different from those held by the Native Authorities. This section, frequently misunderstood by Native Courts, had created particular confusion when applied to cases involving the issuance of permits for public meetings and to cases involving allegations of "injurious falsehoods" attributed to speeches made by members or adherents of the NKDP and KFP. Following the introduction of the modifications governing the application of section 393 of the Penal Code, in accordance with the request I had made, Native Authorities and Courts began to show greater caution and restraint in dealing with cases of political significance.

461. On 22 December 1960, the liaison officer in Mubi was informed by the Resident of the Northern Cameroons that *Malam* Alhaji Abdullahi Yero, a Member and Vice-President of the Chamber of Deputies of the Republic of Cameroun, Plenipotentiary Extraordi-

nary and personal representative of the President of the Republic of Cameroun and the holder of a diplomatic passport, had come to his office in Mubi bringing with him a list of prisoners who, he claimed, were in detention in Mubi because of political affiliations. The Resident invited the liaison officer to accompany him to Mubi jail to conduct a preliminary interview of all prisoners held there at the time. Following this interview, *Malam Yero*, who had at first charged that there were 40 persons in Mubi prison for "political offences" and that there were 20 persons who had fled from the Territory and sought political asylum in Mokolo in the Republic of Cameroun, was asked by the Resident to provide the names of persons in both categories. *Malam Yero* then submitted a list containing the names of twenty-eight persons alleged to be held in Mubi prison or, in the case of two men, in Gulak prison. He also produced a list of twenty-five persons who, he claimed, had fled to Mokolo. Copies of these lists were submitted by the Resident to the United Nations liaison officer in Mubi. Accompanied by the senior district officer, *Malam Yero* then visited the Mubi prison and interviewed the prisoners. On the basis of this interview, the Resident made the following digest of the results:

**Part A.**

(1) Number of persons claimed to be in prison in Mubi for membership of NKDP/KFP .....	40
(2) (a) Number of names produced .....	28
(b) Number of persons reported but names not produced .....	5
Total claimed in writing .....	33

**Part B.**

(1) Number of persons on list actually present in jail .....	27
(2) Whereabouts of others:	
(a) Hospital .....	2
(b) Not in prison .....	4

**Part C.**

(1) Cases reviewed (2 hospital, 27 present) .....	29
(2) Of the 29:	
(a) Persons claiming to belong to the NPC ..	1
(b) Persons claiming no political affiliation ...	5
(c) Persons claiming NKDP or KFP affiliation ..	21
(d) Not seen (hospital) .....	2

**Part D.**

Breakdown of cases:

(a) Crimes of violence, disturbance or breach of peace: 2 awaiting trial, 2 appealing, 5 did not wish appeals .....	9
(b) Offences in connexion with political meetings: 3 awaiting trial, 6 appealed, 6 did not wish appeals .....	15
(c) Refusal or prevention of payment of tax: of these 1 appealed and sentence was reduced, and 1 did not wish appeal .....	2
(d) Contempt of Court: 1 awaiting trial, 1 appealed .....	2
(e) Allowing animals to damage crops: did not wish to appeal .....	1
<b>TOTAL</b> .....	<b>29</b>

462. According to the report of the senior district officer, upon conclusion of the questioning *Malam Yero* expressed himself as being satisfied that the persons concerned had been imprisoned on reasonable and legitimate grounds, and only requested that the four prisoners awaiting trial should be brought before the Courts as soon as possible. This, the senior district officer assured him, would be done. *Malam Yero* also warned three of the prisoners he had seen that since permits were required to hold political meetings, they should have observed the law. He told them that similar laws in respect of public meetings existed in the Republic

of Cameroun and asked the three persons concerned to convey what he had said to the other prisoners.

463. There followed a period of relative quiet during which only a minimal number of complaints and petitions concerning arrests and permits to hold meetings were brought to my attention. Most of these were with reference to some of the persons still imprisoned and about whose cases explanations have been given above. However, on 18 January 1961, I received from the NKDP/KFP Alliance a letter, dated 10 January, complaining, *inter alia*, in general terms about oppression and imprisonment of supporters of the proposition favouring the Republic of Cameroun. As I was in Mubi at the time, I invited the leaders of the NKDP/KFP Alliance to meet with me to discuss this and other matters. A number of general and somewhat vague allegations were made against officials of the Administration, but the leaders were unable to provide me with specific instances and evidence to support their allegations of continued arrests and imprisonment. Very few cases other than those already discussed previously were brought to light.

464. Complaints were also lodged against the district heads of Mubi, Maiha, Madagali, and Mayo Bani, who, it was alleged had been "unduly unco-operative in the issuance of permits and in failing to instruct Native Authority police to give protection to NKDP/KFP lecturers who had secured properly approved permits to hold public political meetings".

465. It was also charged that leaders of opposing political parties, i.e., the Consortium favouring Nigeria, were the cause of most of the difficulties faced by the NKDP/KFP Alliance. The claim was made that on a number of occasions, followers of the NPC in a given village would go to the district head or the Native Authority police and lodge a complaint whereupon NKDP/KFP supporters were promptly arrested, tried, and convicted on the basis of evidence given against them by politicians supporting Nigeria and not by "people in authority". At the same time it was claimed that witnesses brought in to give evidence on behalf of the defendants were harmed or made to fear for their own safety, thus rendering such witnesses ineffectual.

466. I took this occasion to remind these political leaders that the Administrator had issued clear instructions concerning the procedures to be followed for obtaining permits to hold public meetings and processions, and that this procedure, to which I had given my agreement, had to be observed by all concerned.

467. With regard to the arrests, I was concerned that every means possible should be employed to ensure that persons arrested for offences of a political nature should be assured of a fair and impartial hearing. I informed the leaders that I was already in consultation with the Administrator concerning the possibility of having cases such as the above heard before magistrates who, it was contemplated, would come to the Territory from the United Kingdom.

468. In my consultations with him on 18 and 19 January, before and after meeting with the political leaders, the Administrator had agreed that it would be in the best interests of the plebiscite if additional measures were taken to ensure fair trial. To this end he had appointed three magistrates to have jurisdiction, for the remainder of the plebiscite, in cases of arrests arising from offences of a political nature. Such offences, the Administrator informed me, would no longer be tried in the Native Courts but would be heard in the first

instance by the three newly appointed magistrates who were also authorized to review similar cases on which sentences had been previously passed by the Native Courts.

469. The first of the magistrates arrived in Mubi on 20 January 1961 and was followed shortly thereafter by the two other appointees who served at Bama and Ganye. The jurisdiction and competence of the magistrates were set out in a law "To provide for the trial of certain criminal offences by Magistrates' Courts" which took effect as from 23 January.

470. In addition the Administrator directed that during the period when the magistrates were sitting all Native Courts should transfer, on their own motion, any cases which could be claimed to have a political connotation.

471. Among the first to be tried before the magistrates was the case of thirty-four persons arrested at Michika, in the plebiscite district of Cubunawa-Madagali, on 29 January and charged with unlawful assembly and failure to disperse when ordered to do so by the District Officer. It was reported that on 28 January three women supporters of the NKDP who were returning from a visit to the home of a leader of that party had created a disturbance grave enough to lead to their arrest. When, on the following day the three women were brought to trial in the Native Court, it was reported, their husbands and numerous other men had gathered outside the Court and attempted to force their way in. Neither the Liaison Officer at Mubi nor I was able to ascertain (a) the reasons for trying the women in the Native Court, or (b) the dispositions made in their cases.

472. As regards the trials of the thirty-four men, it will suffice to quote the judgement in full:

*"Assistant Commissioner of Police v. Zumba Bazza & 33 others*

"The accused parties are charged firstly with the offence of unlawful assembly contrary to S.102 of the Penal Code, secondly with the offence of failure to disperse contrary to S.104 of the Penal Code and there is an alternative charge of failure to disperse contrary to S.110 of the Penal Code.

"The evidence from the prosecution is that four of the accused parties, namely accused (2), (4), (8) and (9) made their way into the native court at Michika and interrupted the proceedings. They then left the Court and returned after a short time accompanied by a crowd of people. The Court messenger was pushed aside and again accused (2), (4), (8) and (9) entered. The Court then adjourned due to the presence of the crowd outside. The District Officer was informed and he appeared and called upon the crowd to disperse. This was not done. He then decided to hold discussions with five representatives. When they were selected he repeated the order to disperse. The order was not obeyed. He took the representatives to his office. Later the order to disperse was repeated and again it was disobeyed. Finally he ordered that they be arrested.

"All the accused parties have been identified as members of the group which was assembled before the Courthouse and later, before the district office.

"The defence has produced nothing to weaken the prosecution evidence. There were some vague hints of victimization but they were much too vague to

carry any weight. I do not believe that there is any substance in them.

"It is clear that the intention of this assembly was to intimidate the native court by a show of force and it is clear also that several orders to disperse were ignored.

"Therefore I find each of the accused parties guilty upon the 1st count and upon the 2nd count."

473. The Administrator informed me that four persons were subsequently sentenced to two months' imprisonment on each of the two counts and that each of the remaining thirty was fined £3 on each of the two counts, but was given fourteen days in which to raise the money. In the latter cases, the effect was that those who had only been fined were able to vote in the plebiscite.

474. In view of the arrests at Michika and in order to discourage further disturbances, in this already sensitive area, the Administrator posted a half unit of police (sixteen men) to Michika for the duration of the plebiscite and appointed the Assistant District Officer of Michika to be a Superior Police Officer with a view to enabling him to decide on questions of public assemblies and processions. It was explained by the Administrator that this step had been taken in part in order to relieve the District Head and the Native Court of pressures engendered by charges of partiality and victimization.

475. There remained a number of complaints and petitions concerning the arrest of sixteen persons which were submitted to the Administrator by the NKDP/KFP Alliance, on which neither they nor I had received any comments or information as to action taken. I, therefore, requested the Administrator to transmit to me his comments on these cases and at the same time I transmitted to him a petition in which the NKDP/KFP Alliance listed the names of some forty-two persons who were alleged to be imprisoned in Mubi because of political affiliation, and another list of twenty persons who, it was claimed, had fled from the Cubunawa-Madagali district to the Republic of Cameroun for fear of intimidation or arrest owing to their political beliefs.

476. An analysis of the Administrator's report which he sent to me on 18 February 1961 regarding the fifty-eight cases shows the following:

Persons in jail:

(a) Did not appeal .....	15
(b) Awaiting appeal .....	4
(c) Sentence reduced on appeal .....	1
(d) Appeal dismissed .....	1
(e) Cases of no political significance .....	7
Persons released from jail before the plebiscite	10
Persons released on bail before the plebiscite	1
Persons who could not be traced .....	8
Duplication of names on the list .....	11

TOTAL 58

477. Thus, it will be seen that the actual number of persons involved totalled 47 of whom eleven had been released prior to the plebiscite, eight could not be traced and twenty remained in jail, but of the latter seven cases were reported to be completely lacking in political significance.

478. It should also be noted that of the twenty-eight names appearing on the list (see para. 461 above) submitted in December 1960 by Malam Yero to the Resident, seventeen were of persons included among the

fifty-eight concerning whom information was given in the preceding two paragraphs. Of the seventeen persons, six had been released before the plebiscite. The position of the other eleven remaining in jail was as follows:

Did not appeal .....	5
Awaiting appeal .....	2
Sentence reduced on appeal .....	1
Appeal dismissed .....	1
Cases of no political significance .....	2

479. So far as the allegations regarding refugees were concerned the Administrator stated categorically that these allegations were entirely unfounded.

## 2. Question of permits for public meetings

480. During my first visit to the Northern Cameroons, I received, at a meeting held with representatives of political parties on 23 October 1960, a complaint from the NKDP concerning the Native Authorities' refusal to grant permits to hold political meetings. On the same day, I discussed the substance of this complaint with the Administrator of the Northern Cameroons and the Senior Divisional Officer for the Mubi district and advised them that I attached great importance to the need for a free expression of views in the plebiscite and, for that reason, requested them to insure that every opportunity should be given to all parties concerned to hold public meetings. I further insisted that it was for the Administering Authority to advise the Native Authorities to grant licences expeditiously and without discrimination against either side.

481. On 24 October, a petition was lodged by the NKDP with the liaison officer in Mubi, protesting that representatives of his party had been denied permits to hold political lectures in three towns of Mubi district. Observers in the Chamba and Cubunawa-Madagali districts also received complaints that District Heads had refused to issue such permits. All cases reported were brought to the attention of the Administrator and of the District Officers concerned. In the course of the following weeks, the liaison officer in Mubi, in discussions with the Administrator, raised again the problem of the issuance of permits.

482. As a result of my representations and those made on my behalf by the liaison officer in Mubi, the Administrator issued a proclamation whereby Native Authorities were required to grant a permit for any public assembly, unless the Native Authority was satisfied that a breach of the peace was likely to arise from such an assembly. Applicants for permits would, within forty-eight hours after their filing, receive a decision from the district heads or, as appropriate, from the Native Authorities charged with granting the permits. If this procedure proved unavailing, applicants would then have recourse to appeal to a Superior Police Officer who, provided there was no question of a threat to or the breakdown of the maintenance of peace, security and order, could overrule the Native Authority and cause a permit to be issued. No permits could, however be issued to persons who were ineligible to register in the plebiscite.

483. In view of the fact that complaints about refusal to grant licences continued to be received, the liaison officer in Mubi, acting on my behalf, addressed a letter to the Administrator on 21 November 1960, drawing his attention to the fact that the procedure for the granting of permits was apparently not being implemented

in an impartial manner. As it happened, the proclamation had not in fact been issued, although the text had been in the hands of the printer for a full month. It was not until 2 December that the proclamation and instructions of the Administrator were published and distributed to the Native Authorities.

484. The issuance of the proclamation and instructions contributed to a noticeable relaxation of restrictions and to a marked decrease in the number of complaints and allegations about the problem of securing permits. In the course of a meeting with leaders of political parties held in Mubi on 3 December, I had occasion to recall to the attention of all those present, including representatives of the NKDP and the KFP, the new procedure which I advised them would, if followed, go far toward clarifying misunderstandings which had existed in the past.

485. On 21 January 1961, I received a visit from the Liaison Officer of the Republic of Cameroun in Mubi, in the course of which he informed me that many applications by followers of the NKDP/KFP Alliance to hold public meetings had been denied. I drew his attention to the procedures laid down in the Administrator's proclamation of 2 December 1960 and indicated that so far as I knew applicants for permits were no longer encountering difficulties in obtaining permits provided they followed these procedures.

486. There continued to be a few instances in which permits were refused, sometimes for valid reasons, e.g., to hold meetings on market days in or near the market places. In addition, a few permits were refused because the applications were either vague or contained requests for meetings to be held on more than one day. In those cases where the reasons for refusal were different from those set out in the proclamation, representations were made and, usually, following an investigation, the permits were granted.

487. In order to satisfy myself as to the effectiveness of and the degree to which the Administrator's proclamation had been implemented, I requested the Administrator on 30 January 1961 to provide me with information of the number of applications by district for the holding of public meetings and of the disposition thereof.

488. In view of the time element involved, the Administrator was able only to provide information in respect of the Mubi and the Cubunawa-Madagali districts. As these were the most sensitive districts, so far as this problem was concerned, I have deemed it useful to include the following data provided by the Administrator:

District	Applications by NKDP/KFP		Applications by NPC and allied parties	
	Approved	Not approved	Approved	Not approved
Madagali .....	4	1	19	—
Cubunawa .....	12	8	18	2
Mubi .....	7	3	47	—

489. Apart from meetings for which permits were approved under the terms of the Administrator's proclamation of 2 December 1960, it was known that a number of meetings conducted by both groups of parties without prior approval by the Authorities, did not result in any arrests.

### 3. Question of political publications

490. Shortly after the conclusion of talks with the Administrator concerning the question of the establishment of a Northern Region Information Centre in Mubi, I received reports from United Nations Observers of the appearance of a poster in the Hausa language which exhorted the population to register and to vote for Nigeria. This poster, in its lower left hand corner, carried the following notation in English: *Ministry of Information*. At the same time I also received a petition from the NKDP protesting that the circulation of the poster constituted an interference by the Northern Region Government.

491. When I called this matter to the attention of the Administrator, he informed me that the poster in question had been printed and exhibited prior to the separation on 1 October of the administration of the Northern Cameroons from that of the Northern Region Government and that it would be difficult, at that stage, to remove all such posters. The Administrator agreed, however, that thenceforth such practices would not be permitted and that only parties registered in the Northern Cameroons or persons eligible to vote in the plebiscite would be entitled to distribute propaganda posters and leaflets. Subsequently, all campaign posters in support of the alternative favouring union with Nigeria identified the sponsors as being the Consortium and in each case bore the name of the printers.

492. In early December 1960, a poster, in the Hausa language, appeared in the Territory bearing neither an indication of its sponsorship nor information about where or by whom it was printed. This poster was printed on paper of a reddish colour similar to that which had been chosen to identify the ballot boxes for the alternative favouring the Republic. In a petition submitted to me by the Consortium of parties favouring Nigeria objection was raised to this poster and I transmitted this petition to the Administrator for his comments. Before the Administrator could reply a second poster, fitting the physical description given above, also appeared and drew bitter complaints not only from the political parties but also from the Northern Region Government.

493. The following is an unofficial translation of the text of the first of these posters:

"The words of the Honourable the President Ahmadu Ahidjo and his Premier M. Charles Assalé and also of the Premier of the Southern Cameroons, Mr. J. N. Foncha, concerning the status of the Northern Cameroons if it votes for the Cameroun Republic.

"They held a meeting on 10, 11, 12 and 13 October 1960 at Yaoundé.

"This is what they said concerning the Northern Cameroons and also the unification of the Cameroons.

"(1) They will work for the unification of the Cameroons.

"(2) Also, the Unified Cameroons will not remain either in the 'British Commonwealth' or 'the French Community'. It will be an independent country standing on its own.

"(3) Unification moreover will take the form of a Federation, that is to say it will be the Federal Republic of the Cameroons. Moreover the country will have its own emblem, its own National Anthem and also its own flag.

"A Federal Legislature will be built, in which there will be a House of Representatives of the Federation and a Senate.

"A Law will be made also to prevent any one Region having power over any other Region. All of them will be equal together within the Federation. Each Region in the Federated Cameroons will have its own Government and also its own House of Representatives.

"(4) The Federation of the Cameroons will be as follows:

"The Republic of the Cameroun and the Southern Cameroons (in the first place). If the Northern Cameroons wishes, it may have the status of a Region on its own.

"(5) If the Southern Cameroons and the Northern Cameroons wish they can amalgamate.

"The Elders of the Cameroons together will confer as to the kind of Constitution which will suit them ultimately".

494. The following is the unofficial translation of the text of the second poster:

"Vote for Cameroun Republic for the sake of:

"1. You will get your own Province, where you can rule your country by yourselves.

"2. You will continue your education with English, your customs and your position of service in your country as before, there will be no change. Your children will get enough education, because they will give them scholarships to different countries in the world in order to increase their education.

"3. You know that formerly the Northern Cameroons and Cameroun Republic were in one Province. So now they give you a chance to join with your brothers.

"4. You spent 40 years without receiving anything except suffering. Now they want to deceive you to return to the former position. Do you forget? Think, and vote for Cameroun so that you can stop suffering.

"5. Everybody knows that the type of tax which we are paying is too high, so vote for Cameroun where your tax will be decreased, and also Jangali (cattle tax), etc.

"6. The result of the last plebiscite shows us that we did not want to remain with Northern Nigeria. Then why should we say now that we want to return to where we were before?

"7. You all know that Cameroun is a rich country, so vote for Cameroun to make your country rich also.

"Vote for Cameroun, Vote for Your Country. Vote for Yourselves.

"REPUBLIC OF CAMEROUN"

495. Having touched on this matter in a very preliminary way, at a meeting with me on 22 December 1960, the Administrator pursued the matter further in a letter of 3 January 1961. In this letter, he stated that he had received a petition from the Secretary of the group of Nigerian parties favouring the Nigerian proposition and asking for his comments. In it they had charged that the first poster under complaint did not show "political ownership" and had requested that, as such, it should be prohibited. The Administrator stated that in the Northern Cameroons, in common with

most if not all territories of the Commonwealth, printing presses were required to make a declaration to the authorities; every paper printed within the Territory concerned was required to bear the name and address of the printer and, if the paper was to be published, the name and address of the publisher. He pointed out that the existing law did not deal with papers printed outside the Territory, as "ownerless" documents of this kind would, in the ordinary course of events, be made prohibited imports under the Penal Code. In the circumstances prevailing in the Territory, he considered such a measure might be open to objection on several counts. However, he would have to insist that all posters and pamphlets circulated in the Territory should bear the printer's and publisher's identity.

496. In this connexion, the Administrator recalled our discussions on the question of the Nigerian Information Centre at Mubi. He pointed out that it was in this context that I had suggested, if the spirit of the resolution of the United Nations was to be complied with, that no extraneous factors should be permitted to interfere with the free expression of the wishes of the people of the Territory. He also recalled that it was his understanding of my views that any official intervention by the Government of the Republic of Cameroun or by the Government of the Federation of Nigeria would be regarded as objectionable and that he had informed the Northern Region Government accordingly. As far as he was aware, the Northern Region Government had since refrained from issuing posters of a political nature under their authority. At the same time he informed me that he had received objections from the Nigerian Government to the two posters in question on the grounds "that these posters show that the Government of the Cameroun Republic is actively taking part in the plebiscite campaign, an action that was deplored by the United Nations when embarked on openly by the Nigerian Government". The Administrator went on to say that in the same period, three members of a delegation from the Republic of Cameroun had entered the Territory and had reported to officers of his administration. He understood that at least one of them was in possession of a diplomatic passport and that another had reported at Bama to the Senior District Officer asking for permission to distribute copies of one of the posters in question. As this was illegal, permission had been refused. The Administrator stated in line with my views, that such an incursion would be considered a breach of the spirit of the United Nations resolution and also of accepted international practice. He informed me at the same time that he had caused representations to be made concerning this question to the Government of the Republic of Cameroun.

497. In order to obviate further difficulties in connexion with the publication of political literature, the Administrator subsequently enacted "A Law to Provide for the Regulation of Political Publications" which required persons or groups wishing to publish printed matter of a political nature to notify the Administrator of the name and address of the persons wishing to conduct a meeting, and to deposit with him two copies of the text prior to publication. It also required the publication itself to bear upon its face the name of the printer and the publisher. The remainder of the law dealt with the penalties to be meted out to offenders. This law was published in the *Northern Cameroons Gazette* No. 1, Volume 2, of 7 January 1961. In later discussions with me concerning the enactment of this

law, the Administrator made it clear that he did not wish or intend to use the law for purposes of censorship, but rather as a means of identifying those responsible for publishing and printing political publications. In fact, no charges of censorship were ever made.

498. In early February, a poster appeared which, in the view of the Administrator, not only violated the law of 7 January 1961, but was deliberately designed to mislead the population. The sponsors of this poster, the text of which, except for its heading, was identical with that of the second poster referred to in paragraph 494 above, had failed to deposit with the Administrator the required copies prior to publication. The poster also carried at the bottom, under a facsimile signature of the President of the Republic of Cameroun, the following printed notation: "Sir Ahmadu Ahidjo". It also bore an indication that it had been published by the NKDP/KFP Alliance and had been printed by "Imprimerie spéciale de l'Unité, Yaoundé (Cameroun)". In the circumstances, the Administrator notified me that he had called in the leaders of the parties involved and asked them to remove immediately all such posters already exhibited in the Territory and to desist from exhibiting the others.

#### 4. *Questions relating to the free entry of persons and vehicles into the Northern Cameroons*

499. On 1 December 1960, Mr. Jean Betayené, Secretary-General of the Ministry of Foreign Affairs of the Republic of Cameroun and Personal Envoy of President Ahidjo, visited me in Buea. He expressed his concern, among other matters, over the fact that vehicles being used in the Northern Cameroons by advocates of the Cameroun proposition and coming from the Republic of Cameroun had been systematically detained at the border after 1 October 1960, while previously they had enjoyed the right of free entry in the same way as vehicles coming from Nigeria. According to Mr. Betayené, the drivers of vehicles were requested to produce certain documents issued by authorities in Yola and Maiduguri (registration card, insurance policy and driving permit).

500. On the following day, I flew to Mubi and brought this charge to the attention of the Administrator who, by that time, was already apprised of the complaint and who informed me that instructions had been issued to the police to permit vehicles from the Republic of Cameroun to enter the Northern Cameroons freely, provided that they were registered and carried license numbers. Although vehicles entering the Northern Cameroons were normally required to carry third-party liability insurance coverage, the Administrator agreed, as a special measure, to suspend this legal provision for the duration of the plebiscite. Subsequently, the Administrator addressed a directive to all political parties contending in the Northern Cameroons plebiscite, informing them that in order to permit the free use of motor vehicles of political parties during the plebiscite period he had promulgated a law, with effect from 6 December 1960, which removed certain restrictions, normally prevailing, subject to the registration of vehicles which political parties intended to use for the purpose of propaganda during the period of the plebiscite with the Resident of the Northern Cameroons. The effect of this law was to permit any vehicle registered with the Resident of the Northern Cameroons to be used by political parties without the need of obtaining an international license or going through any

formalities with regard to licensing or insurance. It did not, however, exempt the driver of the vehicle from being in the possession of a valid driving license, issued either in the Republic of Cameroun or the Federation of Nigeria. The law further provided that such facilities would not be granted in cases where vehicles were not registered with the Resident of the Northern Cameroons. Political parties were advised to submit to the Resident lists of the vehicles which they desired to register and that vehicles so registered would be given a certificate of registration. Vehicles not so registered would be liable to penalties under existing road traffic ordinances. All Native Authorities in the Northern Cameroons, as well as local leaders of all political parties, were advised to this effect.

501. On 19 November 1960, the Resident approached the United Nations liaison officer in Mubi, showing him a copy of an extract of a telegram from the Minister of Foreign Affairs of the Republic of Cameroun, addressed to the British Ambassador at Yaoundé, in which the Minister complained that until the previous week, cars coming from the Republic were still being turned back at the frontier. The telegram went on to say that a delegation of deputies from the Republic, accompanied by a Minister from the Southern Cameroons, was leaving the same day for the Northern Cameroons and he hoped they would have no difficulties. The Resident and the Commissioner of Police showed considerable annoyance that such charges should have been made, as there was not, nor had there been during the period of the plebiscite, any checkpoint, barrier or police control for stoppage of vehicles on the Northern Cameroons side of the boundary between Mubi and the Republic of Cameroun. The United Nations liaison officer in Mubi, for his part, reported that he had passed through the frontier between the Territory and the Republic along the road from Mubi to Garoua on at least six occasions and that he had visited the border on at least four other occasions, and that he had not noted any police officers or other authorities posted for the purpose of stopping vehicles. Neither I nor United Nations officials who travelled repeatedly on the road from Mubi to Garoua found a checkpoint on the Northern Cameroons side of the border.

502. With regard to the complaint made in the above-mentioned telegram that persons from the Republic of Cameroun were not freely admitted to the Northern Cameroons, it should be noted that a similar statement had previously been made by persons from within the Territory as well. These complaints were brought to my attention and that of the United Nations liaison officer in Mubi, and no evidence was found that the free movement of persons into and out of the Territory had been impeded. In fact, during the period when these complaints were investigated the Mayor of Garoua was moving freely about the Territory, even prior to his accreditation as Liaison and Information Officer for the Republic at Mubi.

##### 5. *Question of information centres*

503. On the occasion of my first visit to the Northern Cameroons I received a petition protesting against the establishment of an information centre in Mubi by the Government of the Northern Region of the Federation of Nigeria. I learned at the same time that this information centre had been set up in the Territory prior to the separation of the administration of the Territory from that of the Northern Region, and before

Sir Percy Wyn-Harris assumed his duties as Administrator of the Northern Cameroons.

504. The information centre, headed by an expatriate official in the employ of the Northern Region Government, was promoting the plebiscite proposition favouring the Federation of Nigeria. Its activities included the distribution of posters and leaflets, prepared by the Northern Region Information Service, admonishing the people to "vote for Nigeria". In addition, loud-speaker vans were visiting, under its auspices, the various districts of the Territory for the same purpose.

505. In my early discussions with the Administrator, I let it be known that, since it would be difficult to avoid attaching political connotations to the activities of the centre during the period prior to the plebiscite, the Government of the Northern Region should be prevailed upon to close the information centre. I advised that in case the information centre continued its activities in the Northern Cameroons, I had to insist that they should be confined to matters of a non-political nature. I also objected to the retention of its director who, as an expatriate, was as such identified with the Administering Authority. The Administrator, who disclaimed any responsibility for the establishment of the information centre, agreed to convey these views to the Premier of the Northern Region, and to invite the Premier, in the Northern Region Government's own interest, to withdraw the information centre and its director. Following consultations he had held with the Premier of the Northern Region, the Administrator informed me that the Government of the Northern Region had received my views "with understanding and with good will" and had made clear its intention to restrict the activities of its information centre to "the dissemination of news about the cultural, economic and development aspects of the people of the Federation of Nigeria", in accordance with accepted international practice. At the same time he assured me that the centre would in no way be used to contravene the spirit of the relevant resolution of the General Assembly under which the freely expressed wishes of the people should be the determining factor in deciding the destiny of the Territory. With regard to my request for the withdrawal of the centre's director, the Administrator stated that the Northern Region Government had reserved the right, in accordance with normal practice, to post at its discretion individual members of its public service to the information centre, subject, of course, to their conduct in accordance with accepted standards, and that the Northern Region Government felt that it was unable to acquiesce in any interference with this right. Following the receipt of this information, I advised the Administrator that I had taken note of the principles which were to guide the information centre in its activities and restated my firm conviction that I expected the centre to refrain from any acts which might, in any way whatever, interfere with the freely expressed wishes of the people. At the same time I suggested that the Administrator might, in the interest of ensuring complete impartiality in this matter, address an invitation to the Government of the Republic of Cameroun to establish an information centre in the Northern Cameroons under conditions similar to those enjoyed by the Northern Region Information Centre.

506. On 31 October 1960 the Administrator advised me that, if a request were to be made by the Republic to establish an information centre in the Northern Cameroons on the same terms and subject to the same restrictions as those guiding the Information Centre of

the Northern Region Government, he would give it favourable consideration. This information was subsequently communicated by the Administering Authority through diplomatic channels to the Government of the Republic of Cameroun.

507. Consequently, when the Secretary-General of the Foreign Office of the Republic of Cameroun, on the occasion of his visit to Buea on 1 December, informed me of his Government's interest in establishing an information centre in the Northern Cameroons, I advised him that the Administering Authority had already expressed its willingness to permit the establishment of such centres by the Government of the Federation of Nigeria and the Government of the Republic of Cameroun, provided that such centres would not interfere in activities relating to the plebiscite.

508. On 20 January 1961, I received information to the effect that the Government of the Republic of Cameroun had availed themselves of the opportunity offered them by the Administering Authority by designating the Mayor of Garoua to serve in Mubi as Liaison and Information Officer of the Republic of Cameroun to the Administrator of the Northern Cameroons. The Liaison Officer presented his credentials to the Administrator on 21 January and, on that occasion, was informed that he would be accorded the same courtesies and facilities, and would have the same standing, as the Director of the Northern Region Government Information Centre at Mubi. The Administrator immediately made a house available to the Liaison Officer which could serve the dual purpose of residence and office.

509. The activities of the two information centres consisted mainly of showings of films depicting the activities and development of the Federation of Nigeria and the Republic of Cameroun, respectively. Nevertheless, their presence in the Territory gave rise to frequent criticism from each group of political parties that the centre representing the country other than the one it favoured was interfering in the campaign.

#### 6. *Question of observers from the Republic of Cameroun and the Federation of Nigeria*

510. During the latter part of December 1960 and in the early part of January 1961, proposals were made by the Government of the Republic of Cameroun to permit it to designate and place throughout the Territory official observers of Cameroun nationality to witness the plebiscite operations and ensure the regularity of the voting. These proposals originated, in part, from the claims made by the Government of the Republic of Cameroun that those Cameroonians and their leaders in the Territory who supported the alternative favouring the Republic were being intimidated, harassed and obstructed in their campaigns. Coupled with these claims were additional allegations of arrests and detention of supporters of union with the Republic.

511. The proposal of the Government of the Republic of Cameroun to designate and to deploy official observers in the Territory was carefully considered by the Administrator and myself when we met to discuss this matter in Mubi on 12 January 1961. From the outset of our deliberations it became clear that in considering the proposals made by the Republic, an invitation would have to be extended to the Federation of Nigeria to send an equal number of observers to the Northern Cameroons, if an affirmative decision were to be taken in this matter. However, the conclusion was reached that the acceptance of official observers from

the Governments of the Republic of Cameroun and the Federation of Nigeria to come to the Northern Cameroons for the purpose of supervising certain phases of the plebiscite was a matter concerning which neither the Administrator nor I were competent to take an affirmative decision. Since by its resolution 1350 (XIII) the General Assembly had, in clear and unmistakable language, delegated the supervisory responsibility to "a United Nations Plebiscite Commissioner who shall exercise, on behalf of the General Assembly, all necessary powers and functions of supervision, and who shall be assisted by observers and staff to be appointed by the Secretary-General in consultation with him", only the General Assembly was in a position to consider the request from the Republic of Cameroun. Apart from the broader aspects of principle involved, the presence in the Northern Cameroons of official observers representing the two governments concerned was likely to inject into the plebiscite a degree of outside political influence which was to be avoided at all costs. In view of these considerations the proposals of the Government of the Republic of Cameroun were found to be unacceptable.

512. However, I agreed to the Administrator's suggestion that each of the two Governments concerned be invited to designate six press representatives to come to the Territory to witness the polling and counting of the ballots. Accordingly, invitations were sent by the Administrator to both Governments and, so far as I am informed, the Republic of Cameroun sent one representative to each of the areas in which a counting centre was located. The Government of the Federation of Nigeria, for its part, limited itself to sending a few cinecamamen and photographers to the Territory.

513. Apart from the matter of observers, however, a certain amount of attention and concern began to centre on the question of "visitors". As we can see from paragraph 500 of this report, that provision was made for the easy ingress into the Territory of vehicles, so long as the persons brought in did not interfere in the plebiscite. On Nigeria's part there were, with one exception, no serious complaints or petitions concerning political interference by visitors. The exception referred to involved a Minister of the Northern Region Government—a Nigerian—who, it was reported, had for the period of the plebiscite taken a leave of absence from his official duties in order to come to the Territory and serve in a personal capacity as adviser on strategy to the Consortium of parties favouring the alternative for joining Nigeria. As petitions arose concerning the movements and activities of this visitor in the Territory, I transmitted them to the Administrator for his comments. The Administrator in his reply gave assurance that his investigations of the complaints and petitions had brought to light no instances of impropriety.

514. So far as visitors from the Republic were concerned, I received several petitions and complaints. In the northern districts of the Territory, visitors from the Republic, said to be Deputies, sought permission to campaign, which was refused in accordance with the principle, laid down by the Administrator, that only persons entitled to vote in the plebiscite had the right to address a public assembly or procession.

515. In this connexion an incident was reported to have taken place in Chamba, where a visitor from the Republic of Cameroun accompanied by an armed servant, had entered the district in a vehicle that had not been registered in accordance with the procedures laid

down by the Administrator. This visitor, also reported to have attempted to seize a herd of cattle which he claimed to be his own, was "invited" to come to Mubi where, after the authorities had explained to him what was expected of visitors, he was relieved of his arms and given a permit to operate his vehicle in the Territory. In all, it was reported to me from all sources that there were twenty-one Deputies from the Republic moving about the Territory at one time or another.

516. On several occasions I met with the Liaison Officer of the Republic of Cameroun in Mubi, as well as with the Vice-President of the National Assembly, who wished to discuss with me matters relating to the conduct of the plebiscite. I last met the Vice-President of the National Assembly in Ganye on 13 February 1961, at which time he expressed himself as being satisfied with the manner in which polling had taken place and the counting of the ballots was being conducted.

#### *7. Meetings with leaders of political parties*

517. Prior to each of my visits to the Northern Cameroons, I requested my liaison officer in Mubi, and whenever possible the respective United Nations Observers, to inform the leaders of political parties of my itinerary and of my availability to discuss with them, should they so desire, any matters that came within my terms of reference. Apart from seeing political leaders on my visits to the various districts in the Northern Cameroons, I also arranged to hold meetings in Mubi with the top leaders of the two groups of political parties contending in the plebiscite. I met with them on my first visit to the Northern Cameroons in October and arranged to see initially each group of parties separately, and afterwards held two joint meetings with them.

518. At the joint meetings there was a useful exchange of views concerning the principles which should govern the conduct of the plebiscite and the part to be played by the political parties. I took advantage of this occasion to explain that it was my role and that of the United Nations Observers to supervise the plebiscite, while, as laid down in the appropriate resolution of the General Assembly, it fell to the Administering Authority to organize and conduct the plebiscite.

519. The matters raised by the leaders of the NKDP/KFP Alliance at the separate meeting held with them, were subsequently transmitted to the Administrator of the Northern Cameroons through my liaison officer.

520. My next formal meeting with political leaders took place on 2 and 3 December 1960, at which time, in addition to receiving petitions, I made a statement in which, in short, I counselled political leaders to use moderation and stressed again the difference between my role and that of the United Nations Observers in the plebiscite, and the responsibilities devolving on the Administrator. It was on this occasion, also, that I had the opportunity to call the attention of all concerned to the existence of the new procedure promulgated by the Administrator for the securing of permits to hold public meetings. This question is discussed more extensively elsewhere in this report [see paras. 480 to 489].

521. At separate meetings with the two groups of political leaders, on 19 January 1961. I dealt with petitions and complaints from both sides and corrected a number of misconceptions and misunderstandings which had given rise to the complaints. I left these meetings

satisfied that both groups were aware of and appreciated the efforts which my Observers and I had made and would continue to make to ensure conditions of fairness and impartiality during the plebiscite. The leaders gave me their assurance that whatever the outcome of the plebiscite they would accept the result of the voting, and, thereafter, would compose their differences and work together for the good of the Territory.

522. My final meeting with political leaders took place on 30 January 1961 at Michika, in the Cubunawa-Madagali district, at which I was confronted with petitions from the NKDP/KFP Alliance concerning the incidents of 28 and 29 January, discussed in this report under the heading "Question of Arrests" [see paras. 452 to 479 above]. I informed the petitioners that, according to my understanding, and as a result of discussions which I had held previously with the Administrator, cases having political connotations would be tried before a Magistrate's Court and not, as they seemed to fear, by the Native Courts.

#### *8. Concluding observations concerning the political situation*

523. Before concluding this section, I deem it necessary to make several observations concerning the unique situation which prevailed during the plebiscite in the Northern Cameroons. This situation, which has its roots in the history of this part of the Trust Territory, should be taken into account in assessing the circumstances in which the plebiscite took place.

524. Due to the characteristics inherent in the existing system of local government and the attendant problems arising from the separation of the administration of the Northern Cameroons from that of the Northern Region of Nigeria, the Administrator was confronted with a number of difficulties to which attention had to be given from the very outset of the plebiscite operation.

525. While the establishment of a new administration in the Territory could not by itself, and in a short time, achieve a radical change in the existing pattern of local government or in the manner in which authority had been exercised by the Native Authorities for many decades, and while it was not incumbent on me to interfere in the administration of the Territory as such, I did, however, take every measure within my competence to effect corrective action in matters which I felt had a bearing on the plebiscite. In this, I had the co-operation and understanding of the Administrator who, being fully aware of the effects on the Northern Cameroons resulting from the many years of association with the Northern Region of Nigeria, often found himself in a situation not devoid of difficulties.

526. From the time of my arrival and that of the United Nations staff in the Territory, a number of allegations concerning cases of arrest, denial of permits for public meetings, propaganda conducted by outside sources and other acts deemed to be contrary to the impartial conduct of the plebiscite were brought to the attention of the Administrator. As a consequence of these representations, the allegations were investigated and corrective action was taken to meet the requirements of the situation, either by means of the enactment of appropriate legislation or by instructions to administration officials and to the Native Authorities.

527. These measures went a long way towards removing obstacles to the exercise of political rights by all concerned.

528. The objective of the plebiscite was to ascertain the wishes of the people of the Northern Cameroons concerning their future. In endeavouring to ensure the application of the principle that only the people of the Territory should participate in the political activities connected with the plebiscite, account had to be taken of the unique situation prevailing in the Northern Cameroons. Political consciousness in the Northern Cameroons, particularly in terms of party organization and discipline, remains at a very low and largely localized level, and such party organization as does exist cannot necessarily be regarded as reflecting widespread public opinion. This is attributable to the fact that the Northern Cameroons is not, and has never been, a Territory with cohesive political institutions of its own. Whatever activity of a political nature had taken place in the past was conducted by the main Nigerian political parties through their local branches. A recent and limited exception was, perhaps, the participation of the NKDP in the political campaign in the 1959 Northern Cameroons plebiscite, although on that occasion it was allied with three Nigerian political parties (the Northern Elements Progressive Union, the United Middle Belt Congress and the Action Group). For purposes of the plebiscite, the Northern Cameroons branches of the Nigerian parties were accepted by the Administrator as representing a sufficient number of persons to merit recognition, in accordance with regulation 10 (2) of the Northern Cameroons Plebiscite (Voting) Regulations, 1960. These parties, grouped together as the Consortium, had the support of many of the district heads and other Native Authority officials in the Northern Cameroons, and therefore an advantage in the campaigns. During the plebiscite campaign, the Consortium received guidance and financial and other support from the parent organizations in Nigeria.

529. The NKDP/KFP Alliance, which did not appear to have received substantial support from the outside during the early stages of the plebiscite campaign, was later aided by sources within the Republic of Cameroun. In addition, the appearance in the Territory of highly-placed political figures from the Republic, who travelled throughout the Northern Cameroons, helped the Alliance significantly in its campaign.

530. The considerations set out above serve to explain why it was virtually impossible to insulate the local political groups which contended in the plebiscite from their outside connexions. There was no means of stopping the Consortium of Nigerian parties from receiving assistance from the parent organizations. On the other hand, the NKDP and the KFP, having originated in the Northern Cameroons, would have been at a considerable disadvantage had they been forced to sever their links with political forces in the Republic of Cameroun. The right to campaign and to address political meetings, however, was limited to persons entitled to vote in the plebiscite, and I am satisfied that this provision was complied with by all political parties.

531. While there were a number of factors which gave the Consortium certain advantages in furthering their aims in the plebiscite, it is equally accurate to say that members of the NKDP and KFP did not always, in conducting their campaign, act with restraint and in full observance of law and order. It was reported more than once that they incited their listeners to disobey the local authorities and to disregard the established rules

for the preservation and maintenance of law and order. One favourite device, it was also reported, to which representatives of these parties repeatedly resorted during the political campaign was to urge the residents in the Northern Cameroons not to pay taxes and to oppose the efforts made by Native Authorities to obtain their collection, while promising that if they voted in favour of union with the Republic they would never have to pay taxes again. In another instance, it was reported that the Organizing Secretary of the NKDP at Jada had made a speech prior to my arrival in the Territory, inciting his audience to violence and riot against the constituted authority of the Territory, citing the Congo as an example to follow. Not long after the arrival of the United Nations Observers in the Northern Cameroons, the Consortium complained in writing to the Administrator and to the United Nations liaison officer in Mubi that the NKDP and KFP, or at least some of their leaders, were deliberately spreading the word that the United Nations was not only encouraging members of these parties to expect special protection from the law, but that the United Nations also had the power to force the Administration to provide such protection. Mention of their complaint was also made by the Administrator in a letter dated 25 November 1960 addressed to my liaison officer. While such rumours were wholly unsupported in practice or in fact, I had occasion to make clear to the Administrator that since a substantial number of the Native Authorities were supporting the Consortium, most of the petitions seeking redress from alleged illegal or unjust acts committed by Native Authorities would not come from followers of the Consortium, but from the NKDP and KFP. As a consequence of this situation, the United Nations Observers had to deal, in an overwhelming majority of cases, with complaints from leaders or followers of the NKDP/KFP Alliance, and it appeared that the Consortium was therefore drawing the erroneous conclusion that a special preference was given to the NKDP/KFP Alliance. In this connexion, I took advantage of a meeting with leaders of all political parties in the Northern Cameroons on 3 December 1960 at Mubi, to restate the task which the General Assembly had entrusted to me and to the United Nations staff assigned to supervise the plebiscite.

532. Still another factor emerged which contributed to the difficulties of the situation. This was the complete absence of written media of information, such as newspapers and other publications which, even if they did exist, would have had little, if any, impact on the largely illiterate population in the Northern Cameroons. Thus, to wage the plebiscite campaign, political parties had to rely largely on word of mouth for the dissemination of information, a medium which obviously lent itself readily to every conceivable distortion and made it possible to spread every kind of rumour which, once abroad, was difficult to dispel. This is not to say that rumours and mis-statements were spread at random, but in a relatively unsophisticated society such as exists in the Territory, even statements of fact were subject to being distorted out of all proportion without any need for resorting to premeditation.

533. The somewhat lengthy comments set out above are, I believe, essential to a proper understanding of the problems which emerged during the plebiscite and to the placing of these problems in their proper perspective.

*Chapter VIII***Preparations for polling****A. THE NORTHERN CAMEROONS PLEBISCITE (VOTING) REGULATIONS, 1960**

534. During the first week of November 1960, I received an advance copy of the draft Northern Cameroons Plebiscite (Voting) Regulations, 1960 from the Administrator.

535. This document had four Parts. Part I (Preliminary) defined the terms used in the remaining three Parts.

536. Part II (Procedure at Plebiscite) contained regulations 3 to 31. Regulations 3 to 5 provided respectively for notices of the plebiscite to be given by the Plebiscite Administrator, delegation of authority to officers, and appointment of polling stations. Regulation 6 dealt with officers at polling stations and their functions. Regulation 7 provided for the erection of screened voting compartments and facilities to be furnished to each polling station. Regulations 8 and 11 laid down the manner in which ballot boxes were to be constructed and placed in the voting compartment. Regulations 9, 12 and 13 provided for the form, issuance and marking of ballot papers. Regulation 10 prescribed the conditions under which polling agents could be appointed by political parties campaigning for either alternative in the plebiscite. Regulations 14, 15, 16, 17 and 18 provided, respectively, for questioning of voters at the request of a polling agent, marking of the voter's knuckles before voting, manner of recording of votes, prohibition of marking ballot papers, and delivery of a fresh ballot paper to voters who had accidentally spoiled a ballot paper. Regulation 19 provided for the manner in which blind and any other disabled persons were to cast their vote. Under regulation 20, no vote could be recorded by a voter except by his attendance in person at the polling station and by recording of his vote therein. According to regulation 21, no person was permitted to vote at a polling station other than the one to which he was allotted, and regulation 24 established as an exception to this principle special facilities for certain officers carrying out duties in relation to the plebiscite. Regulations 22 and 23 provided for the deployment of officers in stations other than those at which they were entitled to vote and for the release of officers on duty for the casting of votes. Under regulations 25 and 27, if a polling agent declared that a person applying for a ballot paper had committed an offence of impersonation and undertook in writing to substantiate the charge in a court of law, the Presiding Officer was empowered to order the arrest of that person, and the arrest so made was to be deemed an arrest for which no warrant was necessary. Regulation 26 provided that when a declaration as to impersonation had been made against a person applying for a ballot paper, such a person was not to be prevented from voting, but the Presiding Officer was to cause the words "protested against for impersonation" to be placed against that name in the register of voters. Under regulation 28, if a person representing himself to be a voter named in the register of voters applied for a ballot paper after another person had voted in such name, the applicant was, after answering satisfactorily questions put to him by a Polling Officer, entitled to receive a ballot paper of a colour different from the ordinary ballot paper (called "tendered ballot paper"), which was to be endorsed by the Presiding Officer with the name of the voter and his number in the register. The "ten-

dered ballot paper" was to be placed by the Presiding Officer in one separate packet chosen by the voter out of two separate packets, each corresponding to the colour of the appropriate ballot box. The name of the voter and his number in the register were to be entered on a list called "the tendered votes list". Regulations 29, 30 and 31 provided, respectively, for authority of the Presiding Officer to regulate the admission of voters to the polling station and to exclude persons other than those specified therein, for the removal of persons misconducting themselves, and for adjournment of voting and the taking of certain precautionary measures in the event of interruption or obstruction of proceedings by riot or violence.

537. Part III (Termination of Plebiscite, Counting, etc.) contained regulations 32 to 44. Regulations 32 and 33 provided, respectively, for the closing of the polling station at the prescribed hour and for the method of dealing with ballot boxes and plebiscite papers. Regulations 34 to 41 concerned the appointment of polling agents by the political parties campaigning for either alternative in the plebiscite; the counting of votes; the method of counting; the preparation of a statement of rejected papers by the Returning Officer and his authority to make a **final decision on any question** arising in respect of ballot papers; the method of dealing with plebiscite papers at the conclusion of the counting of the votes; and the recount of votes at the request of a counting agent. Regulations 41, 42, 43 and 44 dealt, respectively, with the declaration of the result of the voting; the custody until a specified date of all documents relating to the conduct of the plebiscite; the secrecy of vote, and the attendance of United Nations Observers and other persons at the proceedings.

538. Part IV (Plebiscite Offences) comprised regulations 45 to 62. It dealt with various offences known ordinarily by name in election laws, such as personation, treating, undue influence, bribery, dereliction of duty by officials, and illegal practices. Other offences related to acts done in respect of ballot papers; to breach of **secrecy of voting by plebiscite officials**, polling and counting agents and other persons; voting by an unregistered person; disorderly conduct and other offences on polling day; improper use of vehicles; attempts to mislead the public in relation to matters provided for under the regulations, and display of emblems in the vicinity of place of voting.

539. During the second week of November, the Deputy Plebiscite Administrator came to Buea for consultations with me on a number of questions concerning the plebiscite. Advantage was taken of the fact that by that time the Polling Regulations for the Southern Cameroons had been discussed and were ready for printing. The two sets of draft regulations were studied together with a view to obtaining the largest possible degree of uniformity. This method proved of great assistance in bringing consultations to an early conclusion.

540. Several of the points I had raised in the discussions concerning the draft regulations of the Southern Cameroons did not apply because they had originated in the particular circumstances then prevailing in that section of the Territory.

541. On the procedure for a vote on a "tendered ballot paper" under regulation 28 (which became regulation 26 in the final text), I had the same observations to make for both sets of draft regulations. Reference to these observations has been made in paragraph 247 above.

542. The Deputy Plebiscite Administrator accepted my observations and agreed to amend paragraph (2) as follows: "Before the Presiding Officer or Polling Officer delivers the tendered ballot paper to the voter, the name of the voter and his number in the Register of Voters shall be written on the counterfoil of the tendered ballot paper and shall also be entered on a list to be called the 'tendered vote list', and this list shall be admissible in any legal proceedings arising out of the plebiscite."

543. A new paragraph (3) was added as follows: "A voter shall, upon receiving a tendered ballot paper, immediately cast his vote in the manner prescribed in regulation 16" (i.e., by placing the ballot paper in the ballot box of his choice).

544. As is mentioned elsewhere in this report [see paras. 555 to 557 below], I had agreed to the suggestion that the polling take place on two days instead of one as originally contemplated. It was consequently necessary to provide for security arrangements at the end of the first day, and for a second set of ballot boxes. Provision was made for this purpose in regulations 31, 32 and 33. Under regulation 33(2) and 35(1) a ballot paper account was to be prepared and counting of votes to be done at the end of the second day only. I regarded this as an adequate means of preventing information on the polling and early returns from influencing voters voting on the second day.

545. It will be noted [see para. 589 below] that for the purpose of securing secrecy of the vote by persons of particular areas or places, I had agreed to the proposal that the notices on the ballot boxes indicating the alternative, the polling station and the plebiscite district be removed from the ballot boxes at the time of counting. The procedure for this operation was provided for in regulation 36(1) under which "before opening any ballot boxes the Chief Returning Officer shall, in the presence of a United Nations Observer, alone reverse the notice attached in accordance with paragraph (1) of regulation 11, and shall mark upon the reverse side of the notice a code number issued by the Administrator for the polling station and plebiscite district in which the box was used".

546. Closely connected with this was the question of how the declaration of the plebiscite results was to be made. When the proposal was made to me that the results be announced by plebiscite districts and not by registration areas, I drew attention to Article 4(2) (d) of the Northern Cameroons Plebiscite Order in Council, 1960. Under this provision the regulations to be made by the Administrator were to make provision "for ascertaining and publishing the result of the voting that has taken place in each registration area".

547. I was given to understand that this provision did not prevent the Administrator, on behalf of the Administering Authority, from withholding the results in each registration area from the general public, if he so wished. In no way, however, would this mean that the Plebiscite Commissioner and his staff representing the United Nations would be deprived of this information and of the results obtained in each polling station.

548. To confirm this understanding the Deputy Plebiscite Administrator sent me the following letter on 12 November 1960.

"You will recall that during our discussions yesterday, it was agreed, for security reasons, that the results of the polling in the Northern Cameroons would

be announced by plebiscite districts and not, as was done in the previous plebiscite, by individual polling stations.

"I would wish to assure you that although the results will be announced to the public in this way the Northern Cameroons Plebiscite Administration will keep records, which may be examined at any stage of the proceedings by your Observers, of the actual votes cast polling station by polling station. At the conclusion of the poll these detailed results will be handed to your Observer by the Chief Returning Officer in charge of the counting centres."

549. On 3 December, I received a revised copy of the Voting Regulations, incorporating the changes which had been agreed upon earlier, and a note from the Legal Secretary of the Northern Cameroons with comments relating to new proposals.

550. I welcomed a proposal to modify the procedure for the voting of blind or otherwise disabled voters under regulation 19, whereby the Presiding Officer was authorized, instead of the voter's friend or relative, to place the ballot paper in the ballot box. On the other hand, I had strong reservations as to a new proposal under which no person was to be appointed a polling agent or a counting agent who was not entitled to vote in the registration area for which he was appointed. While I appreciated the reasons given for that proposal, i.e., that only persons from the area would be acquainted with the voters and consequently be in a position to detect impersonation, I considered that this condition was not only unprecedented, but also too restrictive, since in practice it might prevent smaller parties from having polling agents in some areas. Perhaps, if the intention had been to make non-residents ineligible for appointment as polling agents in some areas, this point could have been covered in the Regulations by excluding persons who were not entitled to vote in the plebiscite.

551. Concerning the same proposal I raised the question of whether, for the recognition of political parties as sufficiently representative for the purpose of the appointment of polling and counting agents under regulations 10(2) and 34(1), consultations should not be had with the United Nations Plebiscite Commissioner.

552. On 10 December 1960, the Administrator accepted my views on the appointment of polling and counting agents and agreed to amend the proposed regulation 10(4) to read "No person shall be appointed a Polling Agent who is not registered as being entitled to vote in the Plebiscite". He further agreed to provide for consultations with the United Nations Plebiscite Commissioner in regulations 10 and 34. The final text of the Voting Regulations incorporating the changes agreed upon was published in the *Northern Cameroons Gazette* No. 5, Volume 1, of 31 December 1960, Supplement Part B, as the Northern Cameroons Plebiscite (Voting) Regulations, 1960.<sup>36</sup>

#### B. DATE OF THE PLEBISCITE

553. During my preliminary discussions with Colonial Office officials in London on 4 January 1960 concerning the organization and conduct of the forthcoming plebiscites in the Northern and Southern Cameroons, I had insisted that in preparing the time-tables for the two plebiscites full account should be taken of the desirability of conducting polling in the two plebiscites on the same day. I made this request because I

<sup>36</sup> See annex XIX.

feared that the results in one part of the Territory might influence the voting in the other, should voting take place on different days. On 15 March 1960, the Administering Authority transmitted to me detailed proposals concerning the time-tables for the two plebiscites and informed me that, in their preparation, the Administering Authority had been anxious to meet my wish that the voting in the two plebiscites should be conducted on the same day. This had, however, led to one serious difficulty caused by the fact that Ramadan, which is widely observed in the Northern Cameroons, began in 1961 in mid-February and that for this reason it would be impracticable to conduct the voting in the Northern Cameroons during or at the end of the fasting period. The only possibility, therefore, was to arrange for the voting to take place in both plebiscites before the beginning of Ramadan and, in the light of the over-all time-table, to designate 11 February 1961 as polling day. This arrangement met with my satisfaction, and I informed the Administering Authority to that effect.

554. During the early days of my stay in the Territory, the Northern Cameroons Plebiscite Administrator approached me on the subject of extending the number of days for polling from one to two, for the following reasons:

(1) The people of the Northern Cameroons were asking for two polling days. They argued that with the enfranchisement of women they were unwilling that their villages be left unguarded throughout an entire day when the population went to vote, and the men did not wish their wives to meet in close proximity with other men around the polling stations.

(2) The proposed number of polling stations to cover the Territory totalled 350. The Plebiscite Administrator would be hard-pressed to find sufficient numbers of polling staff. In the event of polling being confined to one day, the large number of people registering would necessitate a virtual doubling of the polling stations and a corresponding increase in staff requirements. If the proposed number of polling stations were to be used, a total of 700 Polling Officers would be required, but if, on the other hand, polling were to be confined to one day, their number would have to be increased to at least 1,200 and would require the employment of from 500 to 600 persons from outside the Territory. This would prove to be administratively impossible.

555. For these reasons, the Plebiscite Administrator felt that a two-day period should be set aside for polling.

556. In order to enable the largest possible number of inhabitants, particularly the recently enfranchised women, to participate in the plebiscite, and wishing to avoid the introduction of polling staff from outside the Trust Territory, I agreed to the extension of the polling period from one to two days, provided the Plebiscite Administrator could assure me concerning the safety of the ballot boxes during the night separating the two polling days. The assurances subsequently given to me were entirely satisfactory, and the Plebiscite Administrator designated 12 February 1961 to be an additional polling day.

557. Notice to this effect was published in Northern Cameroons Notice No. 22, published in Gazette No. 6 of 31 December 1960, and posters were displayed throughout the Northern Cameroons announcing that on both dates polling would be conducted between the hours of 7 a.m. and 5 p.m.

### C. PRINTING OF BALLOT PAPERS

558. Regulation 9 of the Northern Cameroons Plebiscite (Voting) Regulations provided that every ballot paper should be in a form prescribed by the Plebiscite Administration and should (a) have a serial number printed or stamped on the back, and (b) be attached to a counterfoil bearing the same serial number as printed or stamped on the back of the ballot paper.

559. On 6 June 1960 I was advised by the United Kingdom Mission to the United Nations that arrangements were being made for the printing of ballot papers in the United Kingdom and that I would be informed as soon as possible when the printing was to take place so that arrangements could be made for a United Nations Observer to be present.

560. Upon my arrival in the Territory, I was informed by the Northern Cameroons Plebiscite Administrator that arrangements were being made for the printing of the ballot papers in the United Kingdom to begin some time during the second half of November. Subsequently, samples of ballot papers were submitted to me for comment and approval. I suggested, and the Administrator agreed, that the Northern Cameroons ballot papers should, for security reasons, contain background micro printing. I was advised that the Northern Cameroons ballot papers would be printed in the plant of George C. Caster and Company, Ltd., of Peterborough, England, where the Southern Cameroons ballot papers had previously been printed, with the stipulation that the printing should be supervised by a United Nations Observer and that proofs were first to be submitted to the Northern Cameroons Plebiscite Administrator for his approval.

561. Mr. Abdel S. Dajani, the United Nations Observer who had supervised the printing of the Southern Cameroons ballot papers, was present during the printing of the proofs of the Northern Cameroons ballot papers and saw to it that all the types, plates, negative and monotype spool used for printing the proofs were packed in two packages, sealed, countersigned by the Director of the firm and by him and placed in the printer's strongroom.

562. Mr. John H. Goetelen, who had been appointed as United Nations Observer to supervise the subsequent printing of the ballots, reported to me that he was satisfied that no work had been started before his arrival at the firm's premises. He also reported that the printing and numbering of the ballot and tendered ballot papers, which had taken place in his presence, was completed on 6 December 1960, and their packaging on 13 December. All spoilage, waste, type, negatives, plates and settings were burned in his presence. The boxes, containing the ballot and tendered ballot papers, numbered fifty in all. They were locked in the firm's strongroom and kept there until 16 December 1960 when, under the supervision of the Observer, they were taken to London Airport. There they remained in the Airport's strongroom until they were loaded, under the Observer's supervision, on board a commercial aircraft which departed that same day for Kano, Nigeria.

563. To supervise the safe delivery of the fifty boxes containing the ballot papers from the Kano airport to a designated place of safekeeping in the Northern Cameroons, I appointed Mr. M. A. Shamsee, United Nations Observer at Bama. The Observer reported that the shipment arrived in Kano on 17 December 1960, with seal and labels intact. It was received by the Deputy

Plebiscite Administrator, in the Observer's presence, and then loaded on a police lorry for dispatch under police escort to Bama. The Observer supervised the shipment from Kano to Bama, where the boxes were delivered to the Senior Divisional Officer and placed in his strongroom.

564. A total of 307,000 ballot papers and 30,700 tendered ballot papers were printed. The ballot papers were printed on buff paper in purple print on grey micro background, made up in books of twenty printed for the nine different plebiscite districts in Northern Cameroons, lettered and numbered serially for each district. The tendered ballot papers were printed on buff paper in brown print on yellow micro background and bound in books of ten.

565. On the basis of the reports of the Observers who supervised all phases of the printing, packaging and shipment of the ballot papers for the Northern Cameroons, I am in a position to state that adequate measures were taken for the security of the ballots.

#### D. COLOURS DISTINGUISHING THE ALTERNATIVES

566. On 9 July 1960 I received a letter from the Plebiscite Administrator in which he suggested that a combination of symbols and colours be used to differentiate between the two alternatives, and it was suggested that a white symbol on a black background might be conveniently used. It was further suggested that an N symbol be used for the box favouring joining with the Federation of Nigeria and a C symbol for the box favouring joining with the Republic of Cameroun. In response to this suggestion, I informed the Plebiscite Administrator that I had no particular comments to make on his proposal but that it was my view that the agreement of the leaders of political parties on the proposed use of colours and symbols should be obtained before making a final decision in the matter. In the light of experience gained during the Northern Cameroons plebiscite in 1959, I deemed it to be essential that the identification of colours and symbols with the propositions to be put in the plebiscite should neither be selected by the Administration nor myself, but should instead be chosen by the people of the Territory to whom such colours and symbols would have specific meaning. Subsequently, the Administrator's proposal for the use of symbols was conveyed to leaders of political parties in the Northern Cameroons, some of whom pointed out that C stood for Cameroons and since some of the people of the Territory considered themselves to be Cameroonians it might be possible for disaffected persons to claim that C symbolized independence of the Territory. A further objection was raised to an identical colour background for both symbols. Accordingly, the original suggestion was dropped and, in its stead, the Administrator suggested the use of a white triangle on black background and a white circle on blue background. This second suggestion was conveyed to me, but I reserved my position on the use of the blue colour on the ground that it was the colour of the United Nations flag and that its use might give rise to misunderstanding or misinterpretation.

567. Following my arrival in the Territory, I was invited by the Administrator to attend a meeting held in Mubi on 22 October 1960 with representatives of the NKDP, the NPC, the NEPU and the AG to discuss the questions of colours and symbols to be used in the plebiscite. After a lengthy discussion of several alternatives, it was finally agreed that the colours should be

black for the proposition favouring union with the Federation of Nigeria and dark pink for the proposition favouring union with the Republic of Cameroun.

#### E. BALLOT BOXES

568. In the course of consultations I held with the Deputy Plebiscite Administrator for the Northern Cameroons on 10 and 11 November 1960 in Buea, I made inquiries concerning the type of ballot boxes the Plebiscite Administrator proposed to use in the plebiscite. I was informed that it was intended to obtain again the type of metal boxes which had been used in the Northern Cameroons plebiscite in 1959 and the Nigerian federal elections in the same year. During this consultation I drew the Deputy Plebiscite Administrator's attention to the fact that it had come to my knowledge that a fairly large number of keys fitting these boxes were to be found in Nigeria. I therefore wished to be assured concerning the security of the contents of the ballot boxes, should the Plebiscite Administrator insist on their use in the forthcoming plebiscite. I pursued the matter with the Administrator in Mubi on 22 December 1960, when he assured me that the keys in themselves were not an essential security element, since special seals would be attached to the boxes which could not be tampered with. Subsequently he informed me that the ballot boxes would be locked and sealed in full view of the people at the commencement of polling on the first and on the second day of the plebiscite and that it was his intention to use separate sets of boxes for each of the two polling days. At the close of polling, the boxes would immediately be sealed with a special lead seal threaded with wire. He assured me that it would not be possible to duplicate these seals anywhere within the Territory. Moreover, instructions had been issued to all Polling Officers that once the boxes had been closed and sealed they were to remain in the possession of the officers concerned until they could bring the boxes to designated collecting points where they would be handed over to Senior Plebiscite Officers against signature. These officers would deliver the boxes, under police escort, to the counting centres, where they would be received by the Chief Returning Officer who would keep them under lock and key until the time for counting had arrived. I was satisfied that the proposed measures outlined above would meet the necessary requirements for the security of the boxes and their contents, and I informed the Administrator accordingly.

#### F. POLLING AND COUNTING STAFF

569. Regulation 4(1) of the Northern Cameroons Plebiscite (Voting) Regulations, 1960 provided that "the Administrator shall direct for which area or areas Assistant Plebiscite Administrators, Returning Officers, Assistant Returning Officers, Presiding Officers and Polling Officers shall exercise their functions and he may delegate to any Assistant Plebiscite Administrator such power in respect of Returning Officers, Assistant Returning Officers, Presiding Officers and Polling Officers". In accordance with this provision, the Administrator appointed the respective officials and assigned them the appropriate duties as follows:

570. *Assistant Plebiscite Administrators.* The three Assistant Plebiscite Administrators, concerning whom details are given in paragraph 323 above, were in charge of making arrangements for and supervising all activities in connexion with polling and counting, before, dur-

ing and after the two polling days, in their respective areas of responsibility, and for this purpose were designated in Northern Cameroons Notice No. 3 of the *Northern Cameroons Gazette* No. 2, dated 25 January 1961, to be Chief Returning Officers with effect from 10 January 1961.

571. *Returning Officers.* The appointment of nine Returning Officers, each being responsible for the training of polling staff and the supervision of all phases of polling and counting in respect of each of the nine plebiscite districts in the Northern Cameroons, was published in Northern Cameroons Notice No. 3 of the *Northern Cameroons Gazette* No. 2, dated 25 January 1961 and was effective from 10 January 1961.

572. *Assistant Returning Officers.* Eighteen senior service departmental officers from the Northern Cameroons Administration were appointed to assist the Returning Officers in conducting training courses, to supervise the proper construction of polling stations and the collection of the ballot boxes after the close of the polls.

573. *Polling Supervisory Officers.* A total of eighty such officials, all Cameroonians, were selected from among the best members of the polling officers training course given to Cameroonian polling staff. Each of these was given over-all charge of a number of polling stations to supervise the work of the Presiding and Polling Officers. The number of polling stations under their charge varied according to the number of stations they could conveniently visit during each polling day.

574. *Presiding and Polling Officers.* A total of 760 Presiding and Polling Officers were recruited from within the Northern Cameroons, with the exception of twenty-five students from the Numan Teacher-Training College in Adamawa province, Northern Region of Nigeria. Of the latter, some were residents of the Northern Cameroons. Although I had requested the Administrator in so far as possible to recruit staff from among qualified persons in the Northern Cameroons, I raised no objection to the employment of these twenty-five students because these men's previous experience and their knowledge of the difficult Mambilla plateau could most usefully be employed during the polling period. The Presiding and Polling Officers were recruited from among senior and junior primary school-teachers, mission school-teachers and pupils who had completed standard IV or above. Training courses were held at each of the Returning Officers' headquarters, lasting over periods of from eight to nine days. These courses were begun on 28 January and lasted until 6 February. During the training courses, these officials were instructed in the construction of polling stations, the mechanics of polling and their duties concerning the delivery of ballot boxes to the counting centres, and were issued written instructions.<sup>37</sup>

575. *Polling Marshals.* A total of 760 Polling Marshals, including female searchers, were appointed from among pensioners and village heads to maintain order at the polls and to search persons, if directed to do so by the Presiding or Polling Officers.

576. *Counting Officers.* Under the authority vested in him by Article 6 of the Order in Council, and in accordance with regulation 36(1) of the Northern Cameroons Plebiscite (Voting) Regulations, 1960, the Administrator delegated to Chief Returning Officers, the responsibility for the appointment of a sufficient num-

ber of officers to conduct the counting of the ballots and to issue instructions concerning their duties.<sup>38</sup> Those appointed to this important function had for obvious reasons to be selected from amongst non-Cameroonians. Also excluded by common consent were those officials who were primarily charged with the administration of the Territory. In the circumstances, the field of choice was narrowed to technical or contract officers and their wives. In some instances priests and missionary staff were selected to serve. At one counting centre, for example, the Counting Officers included a priest of the Roman Catholic Church, a nursing sister, two professional engineers and a doctor of medicine.

#### G. APPOINTMENT OF POLLING AND COUNTING AGENTS

577. *Polling agents.* Regulation 10 of the Northern Cameroons Plebiscite (Voting) Regulations, 1960 provided that on or before 14 January 1961, any political party was entitled to apply to the Administrator for permission to appoint polling agents for the purpose of detecting personation at the polls. Under the same regulation, notice in writing of the appointment of polling agents, stating their names, addresses and numbers on the register of voters, and the polling stations to which they were assigned, were to be submitted to the Assistant Plebiscite Commissioner in charge of the plebiscite district not later than 25 January 1961. The regulation also provided that not more than one polling agent could be appointed to any polling station by a political party or alliance of parties. In accordance with those provisions it was decided that one polling agent should be appointed to be present at polling stations to observe polling on behalf of each of the two alliances of parties. Although letters were sent by the Assistant Plebiscite Administrator to the heads of political groups in their respective plebiscite districts, advising them of the right to appoint such agents, considerable difficulties were experienced by the parties in nominating suitable agents, and the period of acceptance of such nominations was actually extended in each plebiscite district until the day before polling. Upon notification of appointment, each agent was issued with a letter of appointment and was given a copy of a document<sup>39</sup> listing the rights accorded to polling agents by the Administrator. The number of polling agents appointed by the two alliances of parties contending in the plebiscite was as follows:

Plebiscite district	1st Alternative	2nd Alternative
1. Dikwa North .....	122	97
2. Dikwa Central .....		
3. Gwoza .....		
4. Cubunawa-Madagali .....	47	47
5. Mubi .....	54	54
6. Chamba .....	53	53
7. Gashaka-Toungo .....	14	14
8. Mambilla .....	28	28
9. United Hills .....	—	18
TOTAL	318	311

578. *Counting agents.* Regulation 34(1) of the Voting Regulations provided that "any political party or alliance of parties accepted by the Administrator after consultation with the United Nations Plebiscite Commissioner as representing a sufficient number of persons to merit recognition, may appoint a counting agent to

<sup>37</sup> See annex XX.

<sup>38</sup> See annex XXII.

<sup>39</sup> See annex XXI.

attend at each place appointed for the counting of votes". Accordingly counting agents were appointed by each of the two alliances of parties contending in the plebiscite in respect of each of the six counting centres in the Northern Cameroons. In addition, Returning Officers could, in their discretion, permit alternate counting agents to attend if, in their opinion, the counting agent had a legitimate reason to absent himself from the counting centre.

#### H. POLLING STATIONS

579. Regulation 5 of the Voting Regulations provided that "the Administrator shall appoint a polling station for each registration area; provided that where in his opinion the number of persons entitled to vote at any polling station is excessive, the Administrator may divide the polling station into two or more sections".

580. Two considerations guided the Administrator in establishing polling stations. In the first place, each registration area should have its own polling station in the locality where the Assistant Registration Officers had made their headquarters during the registration period, and which in many cases had been the locale where polling stations had been established during the 1959 plebiscite. These places were chosen because the people were familiar with them and the slogan "where I registered, there I shall vote" was adopted in the second enlightenment campaign to remind the people where to vote. Secondly, it had been determined that approximately 650 persons could vote at each polling station in a day. Owing to the heavy registration of women, it became apparent that more than 800 persons would have to vote at each polling station. To accommodate this number, the Administrator could either double the number of polling units at each station, or set aside an additional day for polling. As has already been explained before [see paras. 554 to 556 above] the second alternative was adopted. Nevertheless, there remained the possibility that, in spite of their stated desire to spread voting over two days, some villages might decide to vote on one day and thus swamp the polling stations. For this reason, directives were issued by means of publicity teams and posters that men should vote on the first day and women on the second, but at the same time it was stressed that this was a matter of personal and administrative convenience. In no case would men or women be prohibited from voting if they appeared on days set aside for the other sex.

581. Regulation 7 provided that Assistant Plebiscite Administrators should: "(a) ensure that in each polling station there is a compartment in which voters can cast their votes screened from observation; (b) furnish each presiding officer with such number of ballot boxes and such ballot papers under sealed covers as may be necessary; (c) provide each polling station with instruments for making an official mark on the ballot papers and with pads impregnated with indelible ink of a distinctive colour; (d) provide each polling station with copies of the register of voters; (e) ensure that a presiding officer shall be in charge of each polling station; (f) cause to be published in each polling station the colour which has been allocated to each alternative on which a vote can be cast; and (g) do such other acts and things as may be necessary for conducting the plebiscite in the manner provided in these regulations."

582. During their course of training, polling staff were instructed in the construction of polling stations and each was provided with a construction plan which

required that the stations be built on an axis between the borders of the Republic of Cameroun and the Federation of Nigeria and that the ballot boxes be placed in the respective directions. In this way, a total of 378 polling stations were erected in the 346 registration areas of the Northern Cameroons in locations which had previously been sited by the Returning Officers. The polling staff was also provided with all necessary equipment called for in regulation 7, before being sent to their stations.

#### I. COUNTING CENTRES

583. It will be recalled that during the 1959 plebiscite in the Northern Cameroons one counting centre had been established in each of the nine plebiscite districts in the Territory. Due to the shortage of staff in the Territory during the present plebiscite, which would necessitate bringing additional staff from Nigeria if nine centres were again to be established, I agreed to the suggestion made by the Administrator to reduce the number of counting centres to six, which could all be staffed by officials from within the Territory. Under this arrangement, ballot boxes were collected at the respective headquarters of the Returning Officers in each plebiscite district and measures were taken to ensure the safe transfer of the ballot boxes to the respective counting centres under appropriate police guard.

584. The counting centres thus established were situated as follows:

<i>Plebiscite district</i>	<i>Counting centre</i>
1. Dikwa North .....	Bama
2. Dikwa Central .....	
3. Gwoza .....	Gwoza
4. Cubunawa-Madagali .....	Mubi
5. Mubi .....	
6. Chamba .....	Ganye
7. Gashaka-Toungo .....	
8. Mambilla .....	Gembu
9. United Hills .....	Baissa

585. Counting centres accommodating more than one plebiscite district were under the charge of a Chief Returning Officer, while those centres where the counting of boxes from one plebiscite district was conducted were controlled by the Returning Officer of that plebiscite district.

#### *Chapter IX*

##### **Polling day**

586. The weather on both polling days was bright and clear. Throughout the Northern Cameroons, people turned out in large numbers and the majority of the voters, both men and women, had cast their votes on both days well ahead of the closing of the polls. Augmented by the four members of the Mubi headquarters staff whom I had designated as Observers for the purposes of polling days, a total of thirteen United Nations Observers travelled throughout the nine plebiscite districts in the Northern Cameroons and observed the conduct of polling at a total of 236 out of the 378 polling stations in the Northern Cameroons. Having spent 11 February observing the conduct of polling in the Southern Cameroons, I visited on 12 February a number of polling stations at or near Ganye, Mubi and Michika. Polling on both days proceeded in an exemplary manner and, with the exception of minor errors made by presiding and polling staff at a few of the polling sta-

tions, voting proceeded without major incidents. Observers reported that at practically all polling stations polling agents, appointed by the two groups of parties contending in the plebiscite, were present throughout the two days and in each case expressed themselves as being satisfied with the conduct of the poll. In addition, the Plebiscite Administrator had authorized a number of representatives from the Republic of Cameroun and from the Federation of Nigeria to witness the polling on both days.

587. Although separate figures on participation in the voting according to sex were not available, observers reported that women voted in great numbers. Generally speaking, men and women voted on both days in most areas, although there were a few stations where men voted on the first and women on the second day. A separate set of ballot boxes was used at each polling station on the two polling days and security provisions had been made calling for the transport of the boxes at the end of each day to the designated counting centres where upon arrival the boxes were locked up and placed under police guard.

588. I am satisfied that polling proceeded in an orderly and correct manner and that the provisions for the security of the ballot boxes, which I had the opportunity to inspect personally at Mubi, were completely adequate.

### Chapter X

#### Counting of ballots and results of the plebiscite

589. For reasons I have already stated in paragraphs 545 to 548 above, I agreed to the Administrator's proposal that the results of the plebiscite should be announced to the public by plebiscite districts instead of by registration areas, provided that I be given a record of the votes cast for the two alternatives in each registration area and that counting agents of political parties were able to observe and check the counting of ballots. The Administrator assured me on these points and subsequently adopted a method whereby all ballot boxes for each plebiscite district were sent to counting centres, where they were stored under police guard. Polling agents were entitled to accompany the boxes to the counting centre, and in some cases it was reported that polling agents slept outside the buildings where the boxes were stored. I had occasion to pay a visit on the night of 12 February to the Mubi counting centre, to which the boxes for the Cubunawa-Madagali and Mubi Districts were being delivered. In accordance with the counting instructions<sup>40</sup> issued by the Plebiscite Administrator, it was the responsibility of Presiding Officers to bring the ballot boxes into the counting or collecting centre, under instructions of the Chief Returning Officer. In order to ensure continuity of the counting operation, as well as a minimum of delay, the Chief Returning Officers were instructed to commence counting as soon as the first half of the boxes from a plebiscite district had been delivered at the counting centre. While the first half was being counted the other boxes arrived, thus permitting continuous counting of ballots for each district. As for the actual counting itself, the method followed was that laid down in regulation 36(1) and (2), according to which the Chief Returning Officer, in the presence of a United Nations Observer alone, reversed the cards attached to the boxes showing the alternative and the name of the polling

station. On the reverse side of this card the Returning Officer marked a secret code number which had been assigned by the Administrator to the polling station. Only the Returning Officers and the United Nations observers were in possession of the codes and knew the number belonging to a particular polling station. The counting agents, although able at all times to satisfy themselves of the accuracy of the count, could not identify a particular polling station as such. During this procedure the counting agents were located at a point close enough to them to observe the coding operation by the Returning Officer and the United Nations Observer, but not close enough to be able to identify the code number with its polling station. Once the foregoing operation was completed, the opening of ballot boxes, the counting and all other procedures were fully witnessed by the counting agent.

590. As regulation 39 of the Northern Cameroons Plebiscite (Voting) Regulations, 1960 provided that counting agents should see the verification of the ballot papers account after the count of each polling station was completed, safeguards were devised to avoid divulging the identity of polling stations and, for this purpose, the ballot paper account sheets were divided into two parts. The top half listed the name and other details of the polling station, while the bottom half contained the details of voting. The envelopes containing the ballot paper accounts of Presiding Officers were opened by the Returning Officer, who inserted the code number in a reserved space on both halves of the account and the bottom half was torn off and handed to the counting agents for verification. The two portions of the paper were subsequently placed by the Returning Officer in an envelope which was kept together with the other documents of each polling station in the custody of the Plebiscite Administration. Counting began on 12 February, and was completed on the 15th.

591. The results of the plebiscite in the Northern Cameroons were as follows:

<i>Plebiscite district</i>	<i>The proposition in favour of joining the Republic of Cameroun</i>	<i>The proposition in favour of joining the Federation of Nigeria</i>
1. Dikwa North ....	10,562	22,765
2. Dikwa Central ...	24,203	28,697
3. Gwoza .....	2,554	18,115
4. Cubanawa- Madagali .....	13,299	16,904
5. Mubi .....	11,132	23,798
6. Chamba .....	25,177	9,704
7. Gashaka-Toungo .	3,108	4,999
8. Mambilla .....	7,467	13,523
9. United Hills ...	157	7,791
TOTALS	97,659	146,296

### Chapter XI

#### The protest period

##### A. THE NORTHERN CAMEROONS PLEBISCITE (VOTING PETITIONS) REGULATIONS, 1961

592. On 12 January I received a draft of the Northern Cameroons Plebiscite (Voting Petitions) Regulations, 1961 from the Administrator.

593. On 16 January 1961 I received from the Administrator the following draft text proposed for inclusion as a new paragraph in regulation 3:

<sup>40</sup> See annex XXII.

"No petition based upon the grounds specified in sub-paragraph (a) or (b) of paragraph 1 shall be entertained by the Court unless the Administrator, after consultation with the United Nations Plebiscite Commissioner, certifies that it is a petition, the determination of which might materially affect the results of voting in any registration area".

594. I felt that as the United Nations Plebiscite Commissioner I could not accept the proposed change to regulation 3.

595. The Northern Cameroons Plebiscite Order in Council had provided, under Article 4(2)(e), for regulations to be made by the Administrator of the Northern Cameroons "for the lodging of petitions relating to any dispute concerning the result of the voting" and, under Article 7(2), for the establishment of a special court to hear and determine such petitions. These provisions seemed to provide for a right to a judicial recourse that was in no way dependent upon the eventuality of whether the petition, if successful, could materially affect the results of voting in any registration area. Should petitions be subject to a screening procedure, the whole basis of the right to have a complaint examined by a court acting under established rules of law would fall to the ground. Moreover, I considered that it was not within the terms of reference of my office to express an opinion as to whether the results of the plebiscite, either in its entirety or in any particular area, could be affected by any petition. Finally, I could see nothing in the relevant plebiscite resolution to authorize excluding from the examination of the General Assembly facts or complaints that, having been determined by a court of law, might be valuable for the evaluation of the plebiscite's results. In view of my objections the proposal was withdrawn.

596. It was also agreed to add a new regulation 12 as follows:

"(1) The decision of the Court in respect of any petition, including the findings upon the facts of the case, shall be transmitted to the Administrator in accordance with the provisions of the paragraph (1) of Article 9 of the Order.

"(2) A copy of the decision, including the findings upon the facts of the case, shall be transmitted to the United Nations Plebiscite Commissioner."

597. The final text of the Voting Petitions Regulations with the changes agreed upon was published in the *Northern Cameroons Gazette* No. 3, Volume 2, Supplement Part B, of 11 February 1961, as the Northern Cameroons Plebiscite (Voting Petitions) Regulations, 1961.<sup>41</sup>

## B. VOTING PETITIONS

598. The Administrator of the Northern Cameroons informed me through the United Nations Observer, whom I had designated to be present in the Territory during the period set aside for the submission of voting petitions, that he had received no voting petitions within the time limit established under regulation 3(2) of

the Northern Cameroons Plebiscite (Voting Petitions) Regulations, 1961.

## Chapter XII

### Concluding remarks

599. Out of an estimated population of 774,000, the final register of voters included a total of 292,985 persons, of whom 146,721 were men and 146,264 were women. Registration was heavy and it was particularly gratifying to note that women registered in large numbers.

600. Of a total of 243,955 valid votes cast on polling days, 97,659, or 40.03 per cent, favoured the alternative for joining the Republic of Cameroun and 146,296, or 59.97 per cent, favoured the alternative for joining the Federation of Nigeria.

601. The plebiscite in the Northern Cameroons, as a whole, has to be viewed in the context of the circumstances prevailing in the Territory as set forth in chapter seven of the present report devoted to the political situation. It should also be mentioned that, although the majority of the people of the Northern Cameroons may not have grasped the intricate and complex constitutional implications of the two alternatives, they were aware, nevertheless, that the decision they were called upon to make at the plebiscite meant joining one or other of the two neighbouring countries. In making this clear, the political parties played an important role.

602. The plebiscite was efficiently organized and conducted by the Administering Authority in accordance with the legislation promulgated for the purpose. In spite of the defects and weaknesses inherent in the situation prevailing in the Northern Cameroons, I am satisfied that the people had the opportunity to express their wishes freely and secretly at the polls concerning the alternatives offered in the plebiscite.

603. Tribute is due to the people of the Northern Cameroons for the enthusiasm and interest which they displayed during the plebiscite and for the disciplined manner in which they conducted themselves on both polling days.

604. I wish to record my appreciation to the Administrator of the Northern Cameroons and the plebiscite officials for the ready co-operation shown to me and to the United Nations staff during all stages of the plebiscite operation. I cannot fail to mention the Administrator's readiness to give careful consideration to the matters raised in our numerous consultations, and his efforts to meet the points which I brought to his attention. Particular credit is due to the Deputy Plebiscite Administrator, the Assistant Plebiscite Administrators and the Plebiscite Supervisory Officers for the effective training and supervision they provided which enabled the registration and polling staff to contribute in no small measure to the successful conduct of the plebiscite.

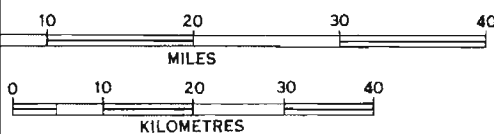
605. Finally, I wish to state here, as I did in connexion with the plebiscite in the Southern Cameroons, how deeply grateful I am to the members of the United Nations Secretariat for the devoted efforts, high sense of duty and ability which they displayed at all times.

<sup>41</sup> See annex XXIV.

**MAPS**

# NORTHERN CAMEROONS

- Provincial boundary
- ..... Divisional boundary
- All season road
- - - - - Dry season road
- Provincial Headquarters
- Divisional Headquarters
- ★ Observer station
- ✈ Airport
- 2000 Contour line (1000 feet interval)



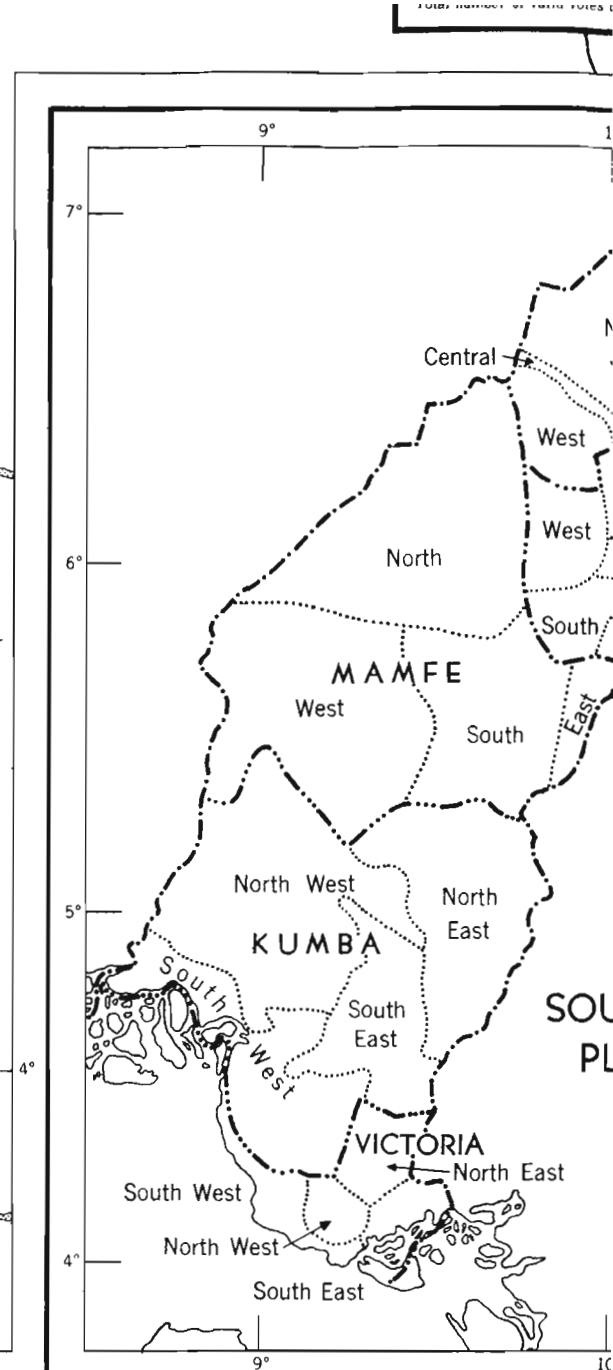
The boundaries shown on this map do not imply  
endorsement or acceptance by the United Nations.



## RESULT OF 11 FEBRUARY

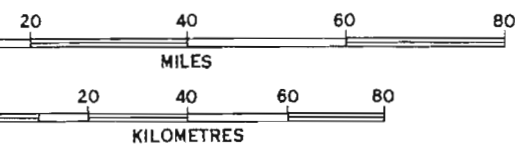
### Plebiscite District

1. VICTORIA: South-West
2. South-East
3. North-West
4. North-East
5. KUMBA: North-East
6. North-West
7. South-East
8. South-West
9. MAMFE: West
10. North



# NORTHERN CAMEROONS

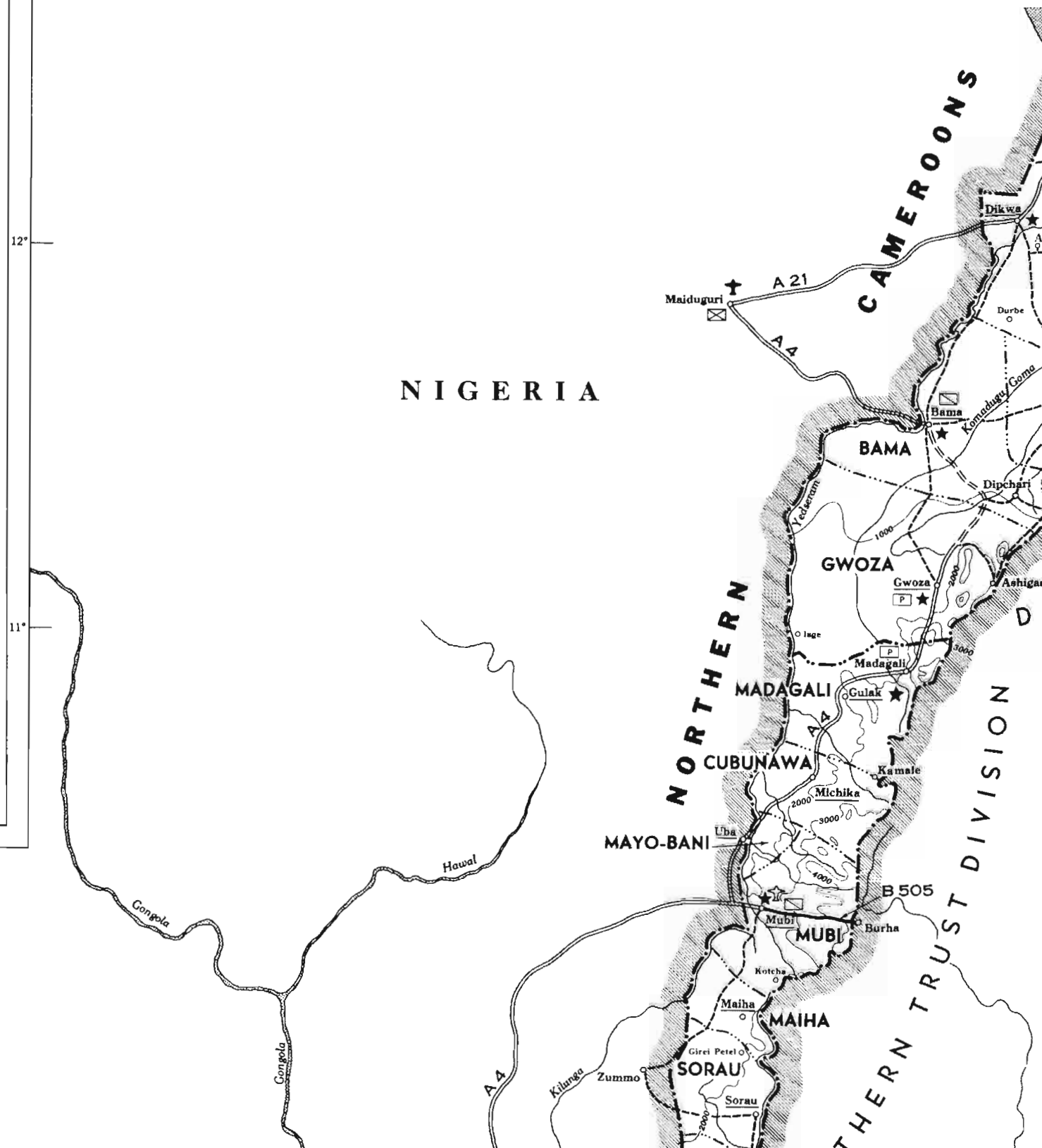
- Provincial boundary
- District boundary
- == Trunk road A
- == Trunk road A (projected)
- Regional road B
- Native Authority dry season road
- Administrative District
- District Headquarters
- Observer station
- Airport
- Airstrip
- Telegraph, Telephone and Post Office combined
- Post Office
- Postal Agency
- Countour line (1000 feet interval)

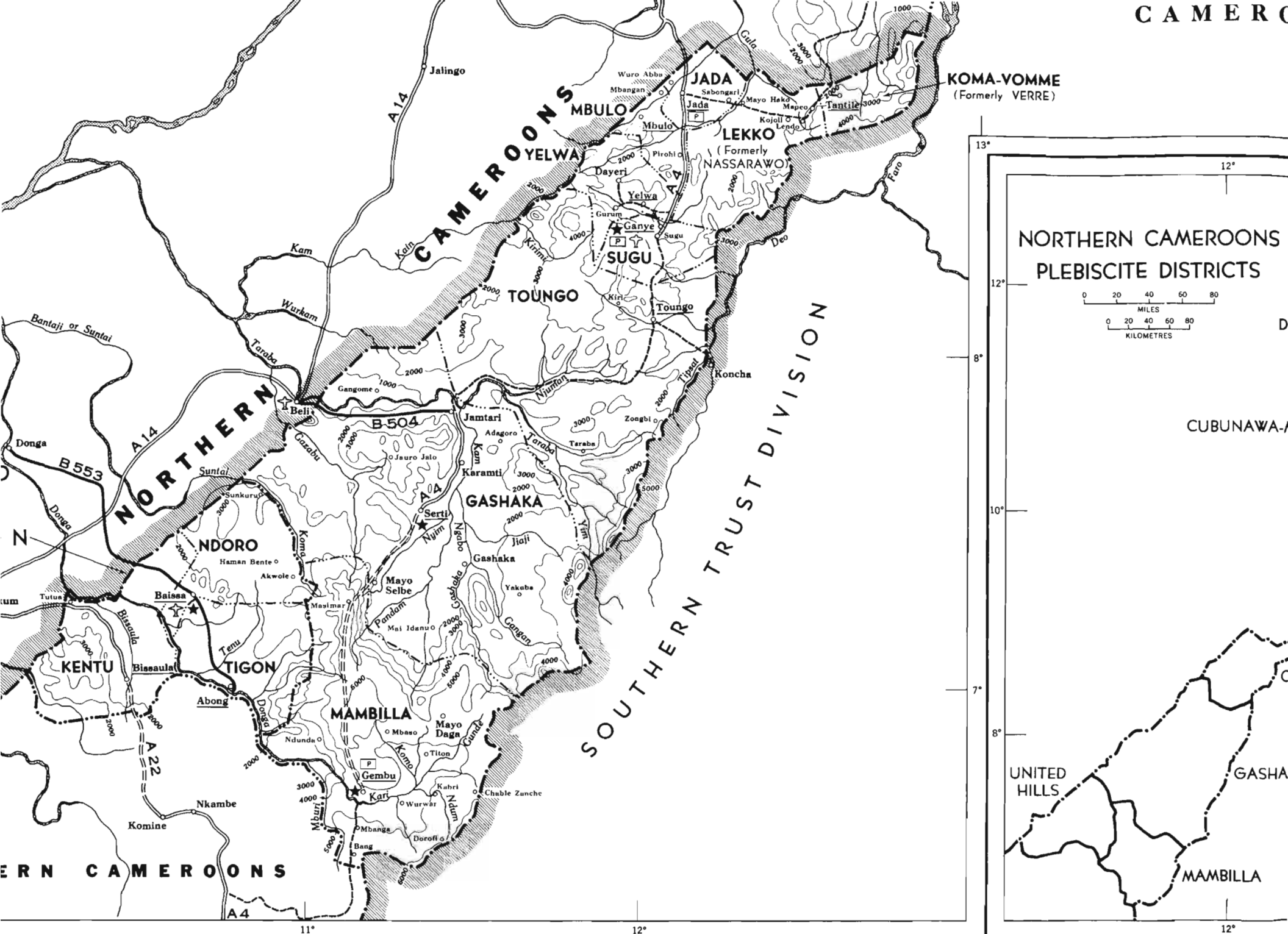


boundaries shown on this map do not imply official endorsement or acceptance by the United Nations

## 12 FEBRUARY 1961 PLEBISCITE IN NORTHERN CAMEROONS

District	Votes Cast for FIRST ALTERNATIVE (Republic of Cameroun)	Votes Cast for SECOND ALTERNATIVE (Federation of Nigeria)
TH	10,562	22,765
TRAL	24,203	28,697
	2,554	18,115
-MADAGALI	13,299	16,904
	11,132	23,798
	25,177	9,704
OUNGO	3,108	4,999







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**Agenda item 14: Report of the International Atomic Energy Agency\***

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**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 943rd plenary meeting, on 12 December 1960, the General Assembly adopted the draft resolution submitted by Australia, Bulgaria and Mexico (A/L.327). For the final text, see resolution 1503 (XV) below.

**Resolution adopted by the General Assembly**

1503 (XV). REPORT OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

*The General Assembly*

*Takes note* of the report of the International Atomic Energy Agency to the General Assembly for the year 1959-1960 (A/4531 and Corr.1 and Add.1).

*943rd plenary meeting,  
12 December 1960.*

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**CHECK LIST OF DOCUMENTS**

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 14 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4528	Progress report for 1960 of the United Nations Scientific Committee on the Effects of Atomic Radiation	<i>Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 24</i>
A/4531 and Corr.1**	Note by the Secretary-General transmitting to the General Assembly of the United Nations the annual report of the Board of Governors to the General Conference (1 July 1959-30 June 1960)	Mimeographed
A/4531/Add.1**	Note by the Secretary-General transmitting to the General Assembly of the United Nations the supplement to the annual report of the Board of Governors to the General Conference (1 July 1959-30 June 1960)	Ditto
A/4599	Twenty-eighth report of the Advisory Committee on Administrative and Budgetary Questions	<i>Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 54</i>
A/L.327	Australia, Bulgaria and Mexico: draft resolution	Adopted without change. See above "Action taken by the General Assembly", resolution 1503 (XV). The text of the resolution appears also in <i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 16</i>

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Plenary Meetings, 943rd meeting*.

\*\* The annual report of the Board of Governors to the General Conference (1 July 1959-30 June 1960) and the Supplement to this report form the report of the International Atomic Energy Agency to the General Assembly for the year 1959-1960.



**Agenda item 17: Election of members of the International Court of Justice:\***

- (a) Election of a member of the Court to fill the vacancy caused by the death of Sir Hersch Lauterpacht;
- (b) Election of five members of the Court

**CONTENTS**

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
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A/4477/Rev.1- S/4483/Rev.1	List of candidates nominated by national groups: note by the Secretary-General .....	3
<b>(b) Election of five members of the Court</b>		
A/4465/Rev.1- S/4474/Rev.1	List of candidates nominated by national groups: note by the Secretary-General .....	3
A/4465/Rev.1/Add.1- S/4474/Rev.1/Add.1	Note by the Secretary-General .....	4
A/4465/Rev.1/Add.2- S/4474/Rev.1/Add.2	Note by the Secretary-General .....	4
<b>Action taken by the General Assembly .....</b>		5
<b>Check list of documents .....</b>		5

\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Plenary Meetings*, 915th and 916th meetings.

**DOCUMENT A/4449-S/4457\***

**Memorandum by the Secretary-General**

[*Original text: English*]  
[11 August 1959]

**I. INTRODUCTORY NOTE**

1. On 5 February 1961 the terms of office of the following five members of the International Court of Justice will expire:

Helge Klaestad (Norway);  
Sir Muhammad Zafrulla Khan (Pakistan);  
Green H. Hackworth (United States of America);  
Enrique C. Armand Ugón (Uruguay);  
Feodor I. Kojevnikov (Union of Soviet Socialist Republics).

It is, therefore, necessary for the General Assembly and the Security Council, during the fifteenth session of the Assembly, to elect five judges for a term of office of nine years beginning on 6 February 1961.

2. Moreover, there is at present a vacancy in the Court because of the death, on 8 May 1960, of Sir Hersch Lauterpacht (United Kingdom of Great Britain and Northern Ireland). In pursuance of Article 14 of the Statute of the Court, the Security Council, at its 864th meeting on 31 May 1960, decided "that an election to fill the vacancy shall take place during the fifteenth session of the General Assembly" (S/4331). In accord-

ance with Article 15 of the Statute, the member of the Court elected to fill this vacancy will hold office for the remainder of Sir Hersch Lauterpacht's term, which expires on 5 February 1964.

3. The Secretary-General has requested nominations from the national groups of States parties to the Statute of the Court. The nominations which he has received respecting the election of five members of the Court and the election to fill the single vacancy will be transmitted shortly, in two separate lists, to the General Assembly and to the Security Council. *Curricula vitae* of the candidates will be issued separately. The two lists of candidates will also be printed in the *Journal of the United Nations* on the day of the election and the names of the candidates will appear on the ballot papers distributed during those elections. The object of this memorandum is to set out the present composition of the International Court of Justice, and to describe the procedure in the General Assembly and the Security Council in regard to the elections.

**II. COMPOSITION OF THE INTERNATIONAL COURT  
OF JUSTICE**

4. The names and nationalities of the present members of the International Court of Justice, and the years

\* Incorporating document A/4449/Corr.1-S/4457/Corr.1

in which their present terms of office expire, are as follows:

<i>Name</i>	<i>Nationality</i>	<i>Expiration of present term (on 5 February)</i>
Helge Klaestad, President .....	Norway	1961
Sir Muhammad Zafrulla Khan, Vice-President	Pakistan	1961
J. Basdevant .....	France	1964
G. H. Hackworth ....	United States of America	1961
B. Winiarski .....	Poland	1967
A. H. Badawi .....	United Arab Republic	1967
E. C. Armand Ugón ..	Uruguay	1961
F. I. Kojevnikov ....	Union of Soviet Socialist Republics	1961
L. M. Moreno Quintana	Argentina	1964
R. Córdova .....	Mexico	1964
V. K. Wellington Koo	China	1967
J. Spiropoulos .....	Greece	1967
Sir Percy Spender ....	Australia	1967
R. J. Alfaro .....	Panama	1964

### III. PROCEDURE IN THE GENERAL ASSEMBLY AND IN THE SECURITY COUNCIL

5. The elections will take place in accordance with the following:

(a) The Statute of the Court, in particular Articles 2 to 4, 8 to 12 and 14;

(b) Rules 151 and 152 of the rules of procedure of the General Assembly;

(c) Rules 40 and 61 of the provisional rules of procedure of the Security Council.

6. In accordance with General Assembly resolution 264 (III) of 8 October 1948, Liechtenstein, San Marino and Switzerland, which are parties to the Statute of the Court but not members of the United Nations, will participate, in the General Assembly, in electing members of the Court in the same manner as the Members of the United Nations.

7. There will be two separate elections: one to elect five judges and the other to elect one judge to fill the vacancy caused by the death of Sir Hersch Lauterpacht. In each election the General Assembly and the Security Council will proceed independently of one another, to elect the requisite number of judges (Article 8 of the Statute).

8. According to Article 2 of the Statute, judges are to be elected, regardless of their nationality, from among persons of high moral character who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law. Article 9 requires electors to bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

9. Those candidates who obtain an absolute majority of votes both in the General Assembly and in the Security Council will be considered as elected (Article 10, paragraph 1, of the Statute).

10. The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all the qualified electors, whether or not they vote. The qualified electors in the General Assembly are all the Members, together with the three

non-Member States mentioned in paragraph 6 above which are parties to the Statute of the Court.

11. In the Security Council, six votes constitute an absolute majority and no distinction is made between permanent and non-permanent members of the Council (Article 10, paragraph 2, of the Statute).

12. The electors in the General Assembly and in the Security Council will indicate the candidate for whom they wish to vote by placing crosses against their names on the ballot papers. In the first election of five judges, each elector may vote for not more than five candidates on the first ballot, and on later ballots for five less the number who have already received absolute majorities. Under Article 7 of the Statute, only those candidates whose names appear in the list prepared by the Secretary-General are eligible for election, unless the special procedure outlined in Article 12, paragraph 2, is used. In the election of a judge to fill the vacancy caused by the death of Sir Hersch Lauterpacht, each elector may vote for only one candidate.

13. In the election of five judges, if in the first ballot in either the General Assembly or the Security Council less than five candidates receive an absolute majority, a second ballot will be held and balloting will continue in the same meeting until five candidates have received the required majority. When this occurs in either organ (and not until that time), the President of that organ will notify the President of the other organ of the names of the five candidates. Such notification is not communicated by the President to the members of an organ until that organ has itself given five candidates the required majority of votes.

14. Cases have arisen in which more than the required number of candidates have received an absolute majority on the same ballot. In the election of five judges at the 567th meeting of the Security Council on 6 December 1951, on the first ballot six candidates received an absolute majority. After a discussion, the Council voted to hold a new vote on all the candidates and a second ballot produced a majority for only five. In the election of five judges at the 681st meeting of the Security Council on 7 October 1954, three ballots produced absolute majorities for six candidates; the fourth ballot produced an absolute majority for only four. In both cases the President of the Security Council made no notification to the President of the General Assembly until only five candidates, and no more, had received an absolute majority in the Council.

15. If, upon comparison of the lists of the General Assembly and of the Security Council, less than five candidates have been thus elected, the Assembly and the Council will proceed, again independently of one another, in a second meeting, and if necessary a third meeting, to elect candidates by further ballots for the remaining vacancies (Article 11 of the Statute), the results again being compared after the required number of candidates has received an absolute majority in each organ.

16. The above procedure will be continued until the two bodies have elected five candidates. If, however, after the third of these meetings one or more seats are still unfilled, the General Assembly and the Security Council may at any time, at the request of either body, form a joint conference consisting of six members, three appointed by each body. This joint conference may, by an absolute majority, agree upon one candidate for each seat still vacant and submit his name for the

approval of the Assembly and of the Council. If unanimously agreed, the joint conference may submit the name of a candidate not included in the list of nominations provided that candidate fulfils the required conditions (Article 12 of the Statute).

17. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected will, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council. In the

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

18. In the election to fill the single vacancy, the procedure outlined above will be followed *mutatis mutandis*. If after the first ballot in both the General Assembly and the Security Council one candidate receives an absolute majority in both bodies, he will be considered elected. Otherwise, balloting will continue at the same meeting until a candidate receives an absolute majority. If necessary, the procedure outlined in Articles 11 and 12 of the Statute will be followed, to the extent applicable.

### (a) Election of a member of the Court to fill the vacancy caused by the death of Sir Hersch Lauterpacht

#### DOCUMENT A/4477/REV.1-S/4483/REV.1

##### List of candidates nominated by national groups: note by the Secretary-General

[Original text: English]  
[4 November 1960]

1. The Secretary-General has the honour to submit to the General Assembly and to the Security Council a single alphabetical list, prepared pursuant to Article 7 of the Statute of the International Court of Justice, of the candidates nominated by national groups for the election, to be held during the fifteenth session of the General Assembly, to fill the vacancy in the Court caused by the death of Judge Sir Hersch Lauterpacht on 8 May 1960. In accordance with Article 15 of the Statute, the term of office of the person elected to fill the vacancy will expire on 5 February 1964, the date on which the deceased member's term of office would have expired.

2. Except for the *curricula vitae* of candidates, the present list incorporates the information contained in documents A/4477/Add.1-S/4483/Add.1 and A/4477/Add.3-S/4483/Add.3. The *curricula vitae* have been circulated in documents A/4475-S/4479 and Add.1 and A/4477-S/4483 and Add.2.

##### LIST OF CANDIDATES NOMINATED BY NATIONAL GROUPS Name and nationality of candidate, and the national groups nominating him:

FITZMAURICE, Sir Gerald (United Kingdom of Great Britain and Northern Ireland)—Australia, Austria, Belgium, Brazil, Canada, Ceylon, Chile, China, Costa Rica, Denmark, Ecuador, France, Greece, Guatemala, Ireland, Italy, Japan, Liechtenstein, Mexico, Netherlands, New Zealand, Norway, Pakistan, Panama, Paraguay, Peru, Poland, Spain, Sweden, Switzerland, Thailand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

GUGGENHEIM, Paul (Switzerland)—Spain.

McNAIR, Lord<sup>a</sup> (United Kingdom of Great Britain and Northern Ireland)—Chile.

PETRÉN, Sture (Sweden)—France.

WALDOCK, Humphrey<sup>b</sup> (United Kingdom of Great Britain and Northern Ireland)—Netherlands.

<sup>a</sup> Lord McNair has informed the Secretary-General that he does not wish to be considered for election (A/4477/Add.1-S/4483/Add.1).

<sup>b</sup> Mr. Waldo has informed the Secretary-General that he does not wish to be considered for election (A/4477/Add.3-S/4483/Add.3).

### (b) Election of five members of the Court

#### DOCUMENT A/4465/REV.1-S/4474/REV.1

##### List of candidates nominated by national groups: note by the Secretary-General

[Original text: English]  
[4 November 1960]

1. The Secretary-General has the honour to submit to the General Assembly and to the Security Council a single alphabetical list, prepared pursuant to Article 7 of the Statute of the International Court of Justice, of the candidates nominated by national groups for the

election of five members of the Court to be held during the fifteenth session of the General Assembly. The election is to fill the vacancies in the Court which will occur on 5 February 1961 when the terms of office of the following five members of the Court expire:

Helge Klaestad (Norway);  
 Sir Muhammad Zafrulla Khan (Pakistan);  
 Green H. Hackworth (United States of America);  
 Enrique C. Armand Ugón (Uruguay);  
 Feodor I. Kojevnikov (Union of Soviet Socialist Republics).

2. The present list incorporates the information previously contained in documents A/4465-S/4474 and Add.1 and 3. *Curricula vitae* of the candidates have been circulated in documents A/4475-S/4479 and Add.1.

#### LIST OF CANDIDATES NOMINATED BY NATIONAL GROUPS

*Name and nationality of candidate, and national group nominating him:*

ARMAND UGÓN, Enrique C. (Uruguay)—Ecuador, France, Netherlands, Spain, Uruguay, Yugoslavia.  
 BARROS JARPA, Ernesto (Chile)—Uruguay.  
 BARTOŠ, Milan (Yugoslavia)—Yugoslavia.  
 BUSTAMANTE Y RIVERO, José Luis (Peru)—Argentina, Colombia, Guatemala, Iran, Italy, Mexico, Norway, Panama, Peru, Spain, Thailand, Turkey, Uruguay, Venezuela.  
 CASTRÉN, Erik (Finland)—Finland.  
 FERNANDES, Raúl (Brazil)—Uruguay.  
 FLOR, Manuel Elicio (Ecuador)—Ecuador.  
 GUGGENHEIM, Paul (Switzerland)—Argentina, Canada, Costa Rica, Liechtenstein, Switzerland, Turkey.  
 HACKWORTH, Green H. (United States of America)—Belgium, Brazil, India, Italy, Liechtenstein, Mexico, Netherlands, Norway, Pakistan, Spain, Switzerland.  
 JESSUP, Philip C. (United States of America)—Australia, Canada, France, United Kingdom of Great Britain and Northern Ireland, United States of America.  
 KAECKENBEECK, Georges (Belgium)—Belgium.  
 KLAESTAD, Helge (Norway)—Australia, Austria, Denmark, Liechtenstein, Netherlands, Norway, Pakistan, Switzerland, United Kingdom of Great Britain and Northern Ireland, Yugoslavia.

KOJEVNIKOV, Feodor I.<sup>a</sup> (Union of Soviet Socialist Republics)—Belgium.

KORETSKY, Vladimir M. (Union of Soviet Socialist Republics)—Australia, Byelorussian Soviet Socialist Republic, India, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

MATINE-DAFTARY, Ahmad (Iran)—Iran.

MORELLI, Gaetano (Italy)—Argentina, Brazil, China, Costa Rica, France, Guatemala, Ireland, Italy, Mexico, Panama, Paraguay, Peru, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

NISOT, Joseph (Belgium)—Argentina, Dominican Republic, Peru, Venezuela.

PAL, Radhabinod (India)—Bolivia, Byelorussian Soviet Socialist Republic, Costa Rica, Cuba, India, Panama, Paraguay, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

PETRÉN, Sture (Sweden)—Denmark, Sweden.

PRODODIKORO, Wirjono (Indonesia)—Indonesia.

SAPENA PASTOR, Raúl (Paraguay)—Bolivia, Brazil, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, India, Ireland, Panama, Paraguay, Spain.

SØRENSEN, Max, (Denmark)—Denmark.

TANAKA, Kotaro (Japan)—Austria, Canada, Dominican Republic, France, Ireland, Italy, Japan, Mexico, Peru, Thailand, United States of America.

TROLLE, Jørgen (Denmark)—Denmark.

TUNKIN, Grigory I.<sup>b</sup> (Union of Soviet Socialist Republics)—Liechtenstein, Switzerland.

ZAFRULLA KHAN, Sir Muhammad (Pakistan)—Australia, Brazil, Canada, Dominican Republic, Ecuador, Iran, Ireland, Netherlands, New Zealand, Norway, Pakistan, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

<sup>a</sup> Judge Kojevnikov has informed the Secretary-General that he would not accept re-election (A/4465/Add.2-S/4474/Add.2).

<sup>b</sup> Professor Tunkin has informed the Secretary-General that he has withdrawn his candidature (A/4465/Add.1-S/4474/Add.1).

### DOCUMENT A/4465/REV.1/ADD.1-S/4474/REV.1/ADD.1

#### Note by the Secretary-General

[Original text: English]  
 [14 November 1960]

The Secretary-General has the honour to submit to the General Assembly and to the Security Council the following communication, dated 7 November 1960, which he has received from Judge Green H. Hackworth:

“While expressing gratitude to those national groups who have nominated me for re-election to the International Court of Justice respectfully request that my name be withdrawn from consideration.

“The Hague.”

“(Signed) Green H. HACKWORTH”

### DOCUMENT A/4465/REV.1/ADD.2-S/4474/REV.1/ADD.2

#### Note by the Secretary-General

[Original text: English]  
 [7 November 1960]

The Secretary-General has the honour to submit to the General Assembly and to the Security Council the following communication, dated 15 November 1960, which he has received from the Permanent Mission of the Republic of Indonesia:

“The Permanent Mission of the Republic of Indonesia presents its compliments to the Secretary-General of the United Nations and has the honour to

refer to its note No. 672/0701A regarding the decision of the Indonesian National Group to nominate Dr. Wirjono Prodjodikoro, at present President of the Indonesian Supreme Court of Justice, as a candidate for the election of five members of the International Court of Justice to be held during the fifteenth session of the General Assembly.

“Upon instructions of its Government the Perma-

nent Mission of the Republic of Indonesia hereby wishes to inform the Secretary-General that the candidature of Dr. Wirjono Prodjodikoro has been withdrawn.

"The Permanent Mission of the Republic of Indonesia avails itself of this opportunity to renew to the Secretary-General the assurances of its high consideration."

### ACTION TAKEN BY THE GENERAL ASSEMBLY

#### (a) ELECTION OF A MEMBER OF THE COURT TO FILL THE VACANCY CAUSED BY THE DEATH OF SIR HERSCH LAUTERPACHT

On 16 November 1960, the General Assembly, at its 915th plenary meeting, and the Security Council, at its 909th meeting, voting independently, elected Sir Gerald Fitzmaurice (United Kingdom of Great Britain and Northern Ireland) as a member of the International Court of Justice to fill the vacancy caused by the death of Sir Hersch Lauterpacht (United Kingdom of Great Britain and Northern Ireland).

In accordance with Article 15 of the Statute of the International Court of Justice, the term of office of Sir Gerald Fitzmaurice will expire on 5 February 1964.

#### (b) ELECTION OF FIVE MEMBERS OF THE COURT

On 16 and 17 November 1960, the General Assembly, at its 915th and 916th plenary meetings, and the Security Council, at its 909th and 910th meetings, voting independently, elected five members of the International Court of Justice to fill the vacancies occurring on the expiration of the terms of office of the following judges:

Mr. Enrique C. Armand Ugón (Uruguay);  
Mr. Green H. Hackworth (United States of America);  
Sir Muhammad Zafrulla Khan (Pakistan);  
Mr. Helge Klaestad (Norway);  
Mr. Feodor I. Kojevnikov (Union of Soviet Socialist Republics).

The following were elected:

Mr. José Luis Bustamante y Rivero (Peru);  
Mr. Philip C. Jessup (United States of America);  
Mr. Vladimir M. Koretsky (Union of Soviet Socialist Republics);  
Mr. Gaetano Morelli (Italy);  
Mr. Kotaro Tanaka (Japan).

### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 17 which are not reproduced in the present fascicle.

Document No.	Title	Observations and references
A/4373	Letter dated 31 May 1960 from the President of the Security Council addressed to the Secretary-General, transmitting a resolution adopted by the Security Council at its 864th meeting, on 31 May 1960	Mimeographed. For the text of the resolution, see <i>Official Records of the Security Council, Fifteenth Year, Supplement for April, May and June 1960</i> , document S/4331
A/4465-S/4474	List of candidates nominated by national groups for the election of five members of the Court: note by the Secretary-General	Replaced by A/4465/Rev.1-S/4474/Rev.1
A/4465/Add.1-S/4474/Add.1	Note by the Secretary-General	<i>Idem</i>
A/4465/Add.2-S/4474/Add.2	Note by the Secretary-General	<i>Idem</i>
A/4465/Add.3-S/4474/Add.3	List of candidates nominated by national groups for the election of five members of the Court: note by the Secretary-General	<i>Idem</i>
A/4475-S/4479 and Add.1	<i>Curricula vitae</i> of candidates nominated by national groups for the election of five members of the Court	Mimeographed
A/4477-S/4483	List and <i>curricula vitae</i> of candidates nominated by national groups for the election of a member of the Court to fill the vacancy caused by the death of Sir Hersch Lauterpacht: note by the Secretary-General	Replaced by A/4477/Rev.1-S/4483/Rev.1, except for <i>curricula vitae</i> of candidates
A/4477/Add.1-S/4483/Add.1	Note by the Secretary-General	Replaced by A/4477/Rev.1-S/4483/Rev.1
A/4477/Add.2-S/4483/Add.2	List and <i>curricula vitae</i> of candidates nominated by national groups for the election of a member of the Court to fill the vacancy caused by the death of Sir Hersch Lauterpacht: note by the Secretary-General	<i>Ibid.</i> , except for <i>curricula vitae</i> of candidates
A/4477/Add.3-S/4483/Add.3	Note by the Secretary-General	<i>Ibid.</i>



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**Agenda item 18: Appointment of the members of the Peace Observation Commission\***

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Plenary Meetings, 960th meeting*.

**DOCUMENT A/4476**

**Note by the Secretary-General**

[*Original text: English*]  
[7 September 1960]

1. The Peace Observation Commission was established by the General Assembly on 3 November 1950 under resolution 377 (V) entitled "Uniting for peace". The present fourteen members of the Commission, who were reappointed by the Assembly for the calendar years 1959 and 1960 under resolution 1298 (XIII) of 5 December 1958, are the following: China, Czechoslovakia, France, Honduras, India, Iraq, Israel, New Zealand, Pakistan, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay.

2. In view of the fact that the terms of office of the present members of the Peace Observation Commission expire on 31 December 1960, the General Assembly will be required at its fifteenth session to consider the question of the membership of the Commission.

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**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 960th plenary meeting on 20 December 1960, the General Assembly decided to reappoint, for the calendar years 1961 and 1962, the present members of the Peace Observation Commission. The Commission is therefore composed as follows: China, Czechoslovakia, France, Honduras, India, Iraq, Israel, New Zealand, Pakistan, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay.



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**Agenda item 19: Election of the United Nations High Commissioner for Refugees\***

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Plenary Meetings*, 935th meeting.

**DOCUMENT A/4607**

**Note by the Secretary-General**

[*Original text: English*]  
[1 December 1960]

1. The Secretary-General has the honour to inform the General Assembly that he has nominated Mr. Félix Schnyder (Switzerland) for the post of United Nations High Commissioner for Refugees to succeed Mr. Auguste Lindt, whose term has expired.<sup>1</sup>

2. The Secretary-General proposes that the term of office for Mr. Schnyder should be from 1 February 1961 to 31 December 1963,<sup>2</sup> and that he should receive the salary and emoluments of an Under-Secretary.

[*For the curriculum vitae of the candidate, see the mimeographed text of document A/4607.*]

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<sup>1</sup> *Official Records of the General Assembly, Thirteenth Session, Annexes*, agenda item 20, document A/3987.

<sup>2</sup> The General Assembly in resolution 1165 (XII) decided to review the arrangements for the Office with a view to determining whether it should be continued beyond that date.

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**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 935th plenary meeting on 5 December 1960 the General Assembly elected Mr. Félix Schnyder United Nations High Commissioner for Refugees by acclamation.



**Agenda item 20: Admission of new Members to the United Nations\***

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Plenary Meetings*, 864th to 866th, 876th, 893rd, 954th and 986th to 989th meetings.

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### DOCUMENT A/4358

**Letter dated 26 January 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of Cameroun for admission to membership in the United Nations**

[Original text: English]  
[1 February 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of Cameroun to membership in the United Nations, adopted by the Security Council at its 850th meeting on 26 January 1960:

*"The Security Council,*

*"Having examined the application of Cameroun,*

*"Recommends to the General Assembly that the Republic of Cameroun be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim record of the 850th meeting of the Security Council, at which the application of Cameroun was discussed.

(Signed) Arkady A. SOBOLEV  
President of the Security Council

### DOCUMENT A/4372

**Letter dated 31 May 1960 from the President of the Security Council to the Secretary-General concerning the application of the Togolese Republic for admission to membership in the United Nations**

[Original text: English]  
[1 June 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Togolese Republic to membership in the United Nations, adopted by the Security Council at its 864th meeting on 31 May 1960:

*"The Security Council,*

*"Having examined the application of the Togolese Republic,*

*"Recommends to the General Assembly that the Togolese Republic be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim record of the 864th meeting of the Security Council, at which the application of the Togolese Republic was discussed.

(Signed) Claude COREA  
President of the Security Council

**DOCUMENT A/4388**

**Letter dated 29 June 1960 from the President of the Security Council to the Secretary-General concerning the application of the Malagasy Republic for admission to membership in the United Nations**

[Original text: English]  
[30 June 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Malagasy Republic to membership in the United Nations, adopted by the Security Council at its 870th meeting on 29 June 1960:

*"The Security Council,*

*"Having examined the application of the Malagasy Republic,*

*"Recommends to the General Assembly that the Malagasy Republic be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim record of the 870th meeting of the Security Council, at which the application of the Malagasy Republic was discussed.

(Signed) Tingfu F. TSIANG  
President of the Security Council

**DOCUMENT A/4393**

**Letter dated 5 July 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of Somalia for admission to membership in the United Nations**

[Original text: English]  
[6 July 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of Somalia to membership in the United Nations, adopted by the Security Council at its 871st meeting on 5 July 1960:

*"The Security Council,*

*"Having examined the application of the Republic of Somalia,*

*"Recommends to the General Assembly that the Republic of Somalia be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim record of the 871st meeting of the Security Council, at which the application of the Republic of Somalia was discussed.

(Signed) José A. CORREA  
President of the Security Council

**DOCUMENT A/4398**

**Letter dated 7 July 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of the Congo (Leopoldville) for admission to membership in the United Nations**

[Original text: English]  
[8 July 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of the Congo (Leopoldville) to membership in the United Nations, adopted by the Security Council at its 872nd meeting on 7 July 1960:

*"The Security Council,*

*"Having examined the application of the Republic of the Congo,*

*"Recommends to the General Assembly that the Republic of the Congo be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim record of the 872nd meeting of the Security Council, at which the application of the Republic of the Congo (Leopoldville) was discussed.

(Signed) José A. CORREA  
President of the Security Council

## DOCUMENT A/4453

**Letter dated 23 August 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of Dahomey for admission to membership in the United Nations**

[Original text: French]  
[24 August 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of Dahomey to membership in the United Nations, adopted by the Security Council at its 891st meeting on 23 August 1960:

*"The Security Council,*

*"Having examined the application of the Republic of Dahomey,*

*"Recommends to the General Assembly that the Republic of Dahomey be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim records of the 890th and 891st meetings of the Security Council, at which the application of the Republic of Dahomey was discussed.

(Signed) Armand BÉRARD  
President of the Security Council

## DOCUMENT A/4454

**Letter dated 23 August 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of the Niger for admission to membership in the United Nations**

[Original text: French]  
[24 August 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of the Niger to membership in the United Nations, adopted by the Security Council at its 891st meeting on 23 August 1960:

*"The Security Council,*

*"Having examined the application of the Republic of the Niger,*

*"Recommends to the General Assembly that the Republic of the Niger be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim records of the 890th and 891st meetings of the Security Council, at which the application of the Republic of the Niger was discussed.

(Signed) Armand BÉRARD  
President of the Security Council

## DOCUMENT A/4455

**Letter dated 23 August 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of the Upper Volta for admission to membership in the United Nations**

[Original text: French]  
[24 August 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of the Upper Volta to membership in the United Nations, adopted by the Security Council at its 891st meeting on 23 August 1960:

*"The Security Council,*

*"Having examined the application of the Republic of the Upper Volta,*

*"Recommends to the General Assembly that the Republic of the Upper Volta be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim records of the 890th and 891st meetings of the Security Council, at which the application of the Republic of the Upper Volta was discussed.

(Signed) Armand BÉRARD  
President of the Security Council

**DOCUMENT A/4456**

**Letter dated 23 August 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of the Ivory Coast for admission to membership in the United Nations**

[Original text: French]  
[24 August 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of the Ivory Coast to membership in the United Nations, adopted by the Security Council at its 891st meeting on 23 August 1960:

*"The Security Council,*

*"Having examined the application of the Republic of the Ivory Coast,*

*"Recommends to the General Assembly that the Republic of the Ivory Coast be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim records of the 890th and 891st meetings of the Security Council, at which the application of the Republic of the Ivory Coast was discussed.

(Signed) Armand BÉRARD  
President of the Security Council

**DOCUMENT A/4457**

**Letter dated 23 August 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of Chad for admission to membership in the United Nations**

[Original text: French]  
[24 August 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of Chad to membership in the United Nations, adopted by the Security Council at its 891st meeting on 23 August 1960:

*"The Security Council,*

*"Having examined the application of the Republic of Chad,*

*"Recommends to the General Assembly that the Republic of Chad be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim records of the 890th and 891st meetings of the Security Council, at which the application of the Republic of Chad was discussed.

(Signed) Armand BÉRARD  
President of the Security Council

**DOCUMENT A/4458**

**Letter dated 23 August 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of the Congo (Brazzaville) for admission to membership in the United Nations**

[Original text: French]  
[24 August 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of the Congo (Brazzaville) to membership in the United Nations, adopted by the Security Council at its 891st meeting on 23 August 1960:

*"The Security Council,*

*"Having examined the application of the Republic of the Congo,*

*"Recommends to the General Assembly that the Republic of the Congo be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim records of the 890th and 891st meetings of the Security Council, at which the application of the Republic of the Congo (Brazzaville) was discussed.

(Signed) Armand BÉRARD  
President of the Security Council

## DOCUMENT A/4459

**Letter dated 23 August 1960 from the President of the Security Council to the Secretary-General concerning the application of the Gabon Republic for admission to membership in the United Nations**

[Original text: French]  
[24 August 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Gabon Republic to membership in the United Nations, adopted by the Security Council at its 891st meeting on 23 August 1960:

*"The Security Council,*

*"Having examined the application of the Gabon Republic,*

*"Recommends to the General Assembly that the Gabon Republic be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim records of the 890th and 891st meetings of the Security Council, at which the application of the Gabon Republic was discussed.

(Signed) Armand BÉRARD  
President of the Security Council

## DOCUMENT A/4460

**Letter dated 23 August 1960 from the President of the Security Council to the Secretary-General concerning the application of the Central African Republic for admission to membership in the United Nations**

[Original text: French]  
[24 August 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Central African Republic to membership in the United Nations, adopted by the Security Council at its 891st meeting on 23 August 1960:

*"The Security Council,*

*"Having examined the application of the Central African Republic,*

*"Recommends to the General Assembly that the Central African Republic be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim records of the 890th and 891st meetings of the Security Council, at which the application of the Central African Republic was discussed.

(Signed) Armand BÉRARD  
President of the Security Council

## DOCUMENT A/4462

**Letter dated 24 August 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of Cyprus for admission to membership in the United Nations**

[Original text: French]  
[24 August 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of Cyprus to membership in the United Nations, adopted by the Security Council at its 892nd meeting on 24 August 1960:

*"The Security Council,*

*"Having examined the application of the Republic of Cyprus,*

*"Recommends to the General Assembly that the Republic of Cyprus be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim record of the 892nd meeting of the Security Council, at which the application of the Republic of Cyprus was discussed.

(Signed) Armand BÉRARD  
President of the Security Council

**DOCUMENT A/4513**

**Letter dated 28 September 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of Senegal for admission to membership in the United Nations**

[Original text: English]  
[28 September 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of Senegal to membership in the United Nations, adopted by the Security Council at its 907th meeting on 28 September 1960:

*"The Security Council,*

*"Having examined the application of the Republic of Senegal,*

*"Recommends to the General Assembly that the Republic of Senegal be admitted to membership in the United Nations."*

The above resolution of the Security Council supersedes the recommendation made by the Council at its 869th meeting on 28 June 1960 regarding the application which had been submitted by the Federation of Mali.<sup>1</sup>

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim record of the 907th meeting of the Security Council, at which the application of the Republic of Senegal was discussed.

(Signed) Egidio ORTONA  
President of the Security Council

<sup>1</sup> See A/4387.

**DOCUMENT A/4514**

**Letter dated 28 September 1960 from the President of the Security Council to the Secretary-General concerning the application of the Republic of Mali for admission to membership in the United Nations**

[Original text: English]  
[28 September 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Republic of Mali to membership in the United Nations, adopted by the Security Council at its 907th meeting on 28 September 1960:

*"The Security Council,*

*"Having examined the application of the Republic of Mali,*

*"Recommends to the General Assembly that the Republic of Mali be admitted to membership in the United Nations."*

The above resolution of the Security Council supersedes the recommendation made by the Council at its 869th meeting on 28 June 1960 regarding the application which had been submitted by the Federation of Mali.<sup>1</sup>

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim record of the 907th meeting of the Security Council, at which the application of the Republic of Mali was discussed.

(Signed) Egidio ORTONA  
President of the Security Council

**DOCUMENT A/4533**

**Letter dated 7 October 1960 from the President of the Security Council to the Secretary-General concerning the application of the Federation of Nigeria for admission to membership in the United Nations**

[Original text: English]  
[7 October 1960]

I have the honour to request you to transmit to the General Assembly the following resolution on the admission of the Federation of Nigeria to membership in the United Nations, adopted by the Security Council at its 908th meeting on 7 October 1960:

*"The Security Council,*

*"Having examined the application of the Federation of Nigeria,*

*"Recommends to the General Assembly that the Federation of Nigeria be admitted to membership in the United Nations."*

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General Assembly, for its information, the verbatim record of the 908th meeting of the Security Council, at which the application of the Federation of Nigeria was discussed.

(Signed) Bohdan LEWANDOWSKI  
President of the Security Council

## DOCUMENT A/4645

### Letter dated 9 December 1960 from the representative of the Union of Soviet Socialist Republics to the President of the General Assembly, transmitting a statement by the Government of the Mongolian People's Republic

[Original text: Russian]  
[13 December 1960]

I have the honour to transmit to you a statement by the Government of the Mongolian People's Republic dated 7 December 1960.

I should be grateful if you would cause this statement to be circulated to the delegations of States Members of the Organization as an official document of the United Nations.

(Signed) V. ZORIN  
Permanent Representative of the USSR  
to the United Nations

#### STATEMENT BY THE GOVERNMENT OF THE MONGOLIAN PEOPLE'S REPUBLIC

1. The Government of the Mongolian People's Republic, expressing the just indignation of its people, resolutely condemns the discriminatory policy which the colonialist and imperialist Powers, and in the first place the United States of America, have once again applied to the Mongolian People's Republic.

2. On 4 December 1960 a meeting of the Security Council was held [911th meeting] at which the question of the admission of the Mongolian People's Republic to membership in the United Nations was discussed. At that meeting the representatives of the United States and of its North Atlantic Treaty Organization satellites the United Kingdom, France and Italy, together with their puppet, the representative of Chiang Kai-shek, prevented discussion of the question of admitting the Mongolian People's Republic to membership in the United Nations. In so doing they once again revealed to the entire world their despicable colonialist identity and roughly and insolently trampled on the fundamental principles and high purposes of the United Nations, a universal international organization intended for all peace-loving States, great and small.

3. For fourteen years now—thanks to the discriminatory policy of the imperialist Powers, particularly the United States, and to the illegal presence in all organs of the United Nations of the Chiang Kai-shek clique which has been utterly discredited before the whole world and has lost all popular support—the just request of the Mongolian People's Republic for membership in the United Nations has been rejected.

4. Today, when capitalism is in process of complete ruin and colonialism is being liquidated once and for all, when new independent States are coming into being one after another and acquiring strength in the broad con-

tinents of Asia and Africa, and when the movement of the peoples of the Latin American countries for their national independence and progress is being consolidated, neglect of the rights of peace-loving peoples in general, and the policy of colonialist disregard for the Mongolian People's Republic in particular, constitute miserable attempts on the part of the imperialist reactionaries to turn back the clock of the history of our great era.

5. The Mongolian people and its Government consider that all the statements made to the United Nations, since 1946, by the Government of the Mongolian People's Republic in regard to its application for membership remain in force.

6. In this connexion the Government of the Mongolian People's Republic declares that the continued illegal presence of the representatives of Chiang Kai-shek in the various organs of the United Nations, impeding the restoration of the lawful rights of the People's Republic of China in the United Nations and the admission of the Mongolian People's Republic to membership in that Organization, as also the utilization of the United Nations by the imperialists for their own mercenary ends, undermine the prestige and authority of that great international Organization in the eyes of the entire world, converting it into a pliant tool of the Government of the United States.

7. The Government of the Mongolian People's Republic requests the immediate removal of the Chiang Kai-shek representatives from all organs of the United Nations, and the granting to the People's Republic of China of the seat in that Organization which rightfully belongs to it.

8. The Mongolian Government, on behalf of the people of its country, requests the admission to membership in the United Nations of the Mongolian People's Republic as a sovereign independent State advancing along the road of progress and prosperity.

9. The Mongolian people and its Government hope that the peace-loving peoples of the world, including those of Asia, Africa and Latin America, who are fighting against aggressive imperialism and the colonialism which is hated by the peoples, will share our just indignation at the situation described above, and will resolutely support the Mongolian people in the realization of their sincere desire to secure the admission of the Mongolian People's Republic to membership in the United Nations.

Ulan Bator, 7 December 1960.

**DOCUMENT A/4656**  
**Special report of the Security Council**

[Original text: English]  
 [16 December 1960]

1. At its 911th meeting on 3-4 December 1960, the Security Council had the following revised provisional agenda before it:

“1. Adoption of the agenda.

“2. Admission of new Members to the United Nations:

“Telegram dated 28 November 1960 from the Prime Minister of the Islamic Republic of Mauritania to the Secretary-General (E/4563 and Corr.1);

“Letter dated 3 December 1960 from the Deputy Permanent Representative of the Union of Soviet Socialist Republics to the President of the Security Council (S/4569).”

2. During the consideration of the adoption of the agenda, the President, speaking as the representative of the USSR, moved that the Council consider as the first sub-item of item 2 the letter (S/4569) dated 3 December 1960 from the Deputy Permanent Representative of the USSR concerning the application of the Mongolian People's Republic for admission to membership in the United Nations. The USSR motion was rejected by 7 votes to 4. In accordance with a motion by the representative of the United States to vote separately on the two sub-items of item 2, the Council decided, by 9 votes to 2, to include in its agenda the telegram dated 28 November 1960 (S/4563 and Corr.1) from the Prime Minister of the Islamic Republic of Mauritania. The Council further decided, by a vote of 4 in favour to 5 against, with 2 abstentions, not to include in its agenda the sub-item consisting of the letter from the Deputy

Permanent Representative of the USSR relating to the application of the People's Republic of Mongolia for admission to membership in the United Nations.

3. At the request of the Chairman of the delegation of Morocco to the fifteenth session of the General Assembly (S/4568), the Council decided, without objection, to invite the representative of Morocco to participate without vote in its consideration of the application of the Islamic Republic of Mauritania for membership in the United Nations.

4. France and Tunisia submitted jointly a draft resolution (S/4567/Rev.1) to recommend the admission of the Islamic Republic of Mauritania to membership in the United Nations. The vote on the draft resolution was 8 in favour, 2 against, with 1 abstention. One of the negative votes being that of a permanent member, the joint draft resolution was not adopted.

5. At the same meeting, the Security Council, pursuant to rule 60 of its provisional rules of procedure, decided to submit the present special report to the General Assembly.

6. In accordance with paragraph 3 of rule 60, the complete record<sup>2</sup> of the Council's consideration on this question has been circulated to all Members of the General Assembly for their information.

<sup>2</sup> For the complete record, see *Official Records of the Security Council, Fifteenth Year, 911th meeting*; and *ibid., Fifteenth Year, Supplement for October, November and December 1960*, documents S/4563, S/4566, S/4567/Rev.1, S/4568, S/4569 and S/4570.

**DOCUMENT A/4753**

**Letter dated 20 April 1961 from the representative of the Union of South Africa to the President of the General Assembly**

[Original text: English]  
 [24 April 1961]

It will be recalled that the draft resolution contained in document A/L.335 and the amendments contained in document A/L.336 were voted upon during the 989th plenary meeting, held on 19 April 1961.

While the South African delegation opposed the amendments contained in document A/L.336, it nevertheless voted affirmatively on the draft resolution in document A/L.335 as amended. Since the vote on the amendments was taken by show of hands and it is now too late to explain the South African vote from the rostrum as consideration of the item has been concluded, I wish to place it on record that we voted affirmatively on the resolution as a whole to illustrate the Union's support of the General Assembly's declaration regarding the Islamic Republic of Mauritania.

It would be appreciated if this communication could be circulated as a document.

(Signed) B. G. FOURIE  
*Permanent Representative of the  
 Union of South Africa to the United Nations*

**DOCUMENT A/L.335**

**Cameroun, Central African Republic, Chad, Congo (Brazzaville), Dahomey, Gabon, Ivory Coast, Madagascar, Niger, Senegal and Upper Volta: draft resolution**

[Original text: French]  
[18 December 1960]

*The General Assembly,*

*Noting* that eight members of the Security Council voted on 4 December 1960 in favour of a draft resolution recommending the admission of the Islamic Republic of Mauritania to membership in the United Nations, but that no recommendation was made to the General Assembly because of the opposition of a permanent member,

*Considering* that it is important for the future of the United Nations that all applicant States which fulfil the conditions laid down in Article 4 of the Charter of the United Nations should be admitted to membership in the Organization,

1. *Declares* that in its view the Islamic Republic of Mauritania is a peace-loving State within the meaning of Article 4 of the Charter, that it is able and willing to carry out the obligations of the Charter, and that it should, in consequence, be admitted to membership in the United Nations;

2. *Requests* the Security Council to take note of this decision of the General Assembly in regard to the candidature of the Islamic Republic of Mauritania.

**DOCUMENT A/L.336**

**Union of Soviet Socialist Republics: amendments to document A/L.335**

[Original text: Russian]  
[18 December 1960]

1. Insert the following as the first preambular paragraph:

*"Noting* that the Mongolian People's Republic has been awaiting a decision on its application for admission to membership in the United Nations since 1946 and that a favourable decision on this question is at present being impeded by those members of the Security Council which, on 4 December 1960, voted against the inclusion in the agenda of the Council of the question of the admission of the Mongolian People's Republic to membership in the Organization."

2. Insert the following as operative paragraph 1:

*"1. Declares* that in its view the Mongolian People's Republic is a peace-loving State within the meaning of Article 4 of the Charter of the United Nations, that it is able and willing to carry out the obligations of the Charter, and that it should, in consequence, be admitted to membership in the United Nations;" Existing operative paragraph 1 becomes operative paragraph 2.

3. Insert the words "the candidature of the Mongolian People's Republic and" after the words "in regard to" in existing operative paragraph 2, which becomes operative paragraph 3.

**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 864th plenary meeting, on 20 September 1960, the General Assembly adopted the draft resolutions in documents A/L.295 to A/L.308, inclusive. For the final texts, see resolutions 1476 (XV), 1477 (XV), 1478 (XV), 1479 (XV), 1480 (XV), 1481 (XV), 1482 (XV), 1483 (XV), 1484 (XV), 1485 (XV), 1486 (XV), 1487 (XV), 1488 (XV) and 1489 (XV) below.

At its 876th plenary meeting, on 28 September 1960, the General Assembly adopted the draft resolutions in documents A/L.309 and A/L.310. For the final texts, see resolutions 1490 (XV) and 1491 (XV) below.

At its 893rd plenary meeting, on 7 October 1960, the General Assembly adopted the draft resolution in document A/L.318. For the final text, see resolution 1492 (XV) below.

At its 989th plenary meeting, on 19 April 1961, the General Assembly voted on the USSR amendments (A/L.336) to the draft resolution in document A/L.335. The Assembly adopted the first part of the first amendment and failed to adopt the second part of the first amendment; it adopted the second amendment, and failed to adopt the third amendment. At the same meeting, the General Assembly adopted the draft resolution in document A/L.335, as amended. For the final text, see resolution 1602 (XV) below.

**Resolutions adopted by the General Assembly****1476 (XV). ADMISSION OF THE REPUBLIC OF CAMEROUN TO MEMBERSHIP IN THE UNITED NATIONS**

*The General Assembly,*

*Having received* the recommendation of the Security Council of 26 January 1960 that the Republic of Cameroun should be admitted to membership in the United Nations (A/4358),

*Having considered* the application for membership of the Republic of Cameroun (A/4357),

*Decides* to admit the Republic of Cameroun to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

**1477 (XV). ADMISSION OF THE TOGOLESE REPUBLIC TO MEMBERSHIP IN THE UNITED NATIONS**

*The General Assembly,*

*Having received* the recommendation of the Security Council of 31 May 1960 that the Togolese Republic should be admitted to membership in the United Nations (A/4372),

*Having considered* the application for membership of the Togolese Republic (A/4377),

*Decides* to admit the Togolese Republic to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

**1478 (XV). ADMISSION OF THE MALAGASY REPUBLIC TO MEMBERSHIP IN THE UNITED NATIONS**

*The General Assembly,*

*Having received* the recommendation of the Security Council of 29 June 1960 that the Malagasy Republic should be admitted to membership in the United Nations (A/4388),

*Having considered* the application for membership of the Malagasy Republic (A/4386),

*Decides* to admit the Malagasy Republic to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

**1479 (XV). ADMISSION OF THE REPUBLIC OF SOMALIA TO MEMBERSHIP IN THE UNITED NATIONS**

*The General Assembly,*

*Having received* the recommendation of the Security Council of 5 July 1960 that the Republic of Somalia should be admitted to membership in the United Nations (A/4393),

*Having considered* the application for membership of the Republic of Somalia (A/4392),

*Decides* to admit the Republic of Somalia to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

**1480 (XV). ADMISSION OF THE REPUBLIC OF THE CONGO (LEOPOLDVILLE) TO MEMBERSHIP IN THE UNITED NATIONS**

*The General Assembly,*

*Having received* the recommendation of the Security Council of 7 July 1960 that the Republic of the Congo (Leopoldville) should be admitted to membership in the United Nations (A/4398),

*Having considered* the application for membership of the Republic of the Congo (Leopoldville) (A/4394),

*Decides* to admit the Republic of the Congo (Leopoldville) to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

**1481 (XV). ADMISSION OF THE REPUBLIC OF DAHOMEY TO MEMBERSHIP IN THE UNITED NATIONS**

*The General Assembly,*

*Having received* the recommendation of the Security Council of 23 August 1960 that the Republic of Dahomey should be admitted to membership in the United Nations (A/4453),

*Having considered* the application for membership of the Republic of Dahomey (A/4430),

*Decides* to admit the Republic of Dahomey to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

**1482 (XV). ADMISSION OF THE REPUBLIC OF THE NIGER TO MEMBERSHIP IN THE UNITED NATIONS**

*The General Assembly,*

*Having received* the recommendation of the Security Council of 23 August 1960 that the Republic of the Niger should be admitted to membership in the United Nations (A/4454),

*Having considered* the application for membership of the Republic of the Niger (A/4431),

*Decides* to admit the Republic of the Niger to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

**1483 (XV). ADMISSION OF THE REPUBLIC OF THE UPPER VOLTA TO MEMBERSHIP IN THE UNITED NATIONS**

*The General Assembly,*

*Having received* the recommendation of the Security Council of 23 August 1960 that the Republic of the Upper Volta should be admitted to membership in the United Nations (A/4455),

*Having considered* the application for membership of the Republic of the Upper Volta (A/4432),

*Decides* to admit the Republic of the Upper Volta to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

1484 (XV). ADMISSION OF THE REPUBLIC OF THE  
IVORY COAST TO MEMBERSHIP IN THE UNITED  
NATIONS

*The General Assembly,*

*Having received* the recommendation of the Security Council of 23 August 1960 that the Republic of the Ivory Coast be admitted to membership in the United Nations (A/4456),

*Having considered* the application for membership of the Republic of the Ivory Coast (A/4433),

*Decides* to admit the Republic of the Ivory Coast to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

1485 (XV). ADMISSION OF THE REPUBLIC OF CHAD  
TO MEMBERSHIP IN THE UNITED NATIONS

*The General Assembly,*

*Having received* the recommendation of the Security Council of 23 August 1960 that the Republic of Chad should be admitted to membership in the United Nations (A/4457),

*Having considered* the application for membership of the Republic of Chad (A/4436),

*Decides* to admit the Republic of Chad to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

1486 (XV). ADMISSION OF THE REPUBLIC OF THE  
CONGO (BRAZZAVILLE) TO MEMBERSHIP IN THE  
UNITED NATIONS

*The General Assembly,*

*Having received* the recommendation of the Security Council of 23 August 1960 that the Republic of the Congo (Brazzaville) should be admitted to membership in the United Nations (A/4458),

*Having considered* the application for membership of the Republic of the Congo (Brazzaville) (A/4435),

*Decides* to admit the Republic of the Congo (Brazzaville) to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

1487 (XV). ADMISSION OF THE GABON REPUBLIC TO  
MEMBERSHIP IN THE UNITED NATIONS

*The General Assembly,*

*Having received* the recommendation of the Security Council of 23 August 1960 that the Gabon Republic should be admitted to membership in the United Nations (A/4459),

*Having considered* the application for membership of the Gabon Republic (A/4441),

*Decides* to admit the Gabon Republic to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

1488 (XV). ADMISSION OF THE CENTRAL AFRICAN  
REPUBLIC TO MEMBERSHIP IN THE UNITED  
NATIONS

*The General Assembly,*

*Having received* the recommendation of the Security Council of 23 August 1960 that the Central African Republic should be admitted to membership in the United Nations (A/4460),

*Having considered* the application for membership of the Central African Republic (A/4451),

*Decides* to admit the Central African Republic to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

1489 (XV). ADMISSION OF THE REPUBLIC OF CYPRUS  
TO MEMBERSHIP IN THE UNITED NATIONS

*The General Assembly,*

*Having received* the recommendation of the Security Council of 24 August 1960 that the Republic of Cyprus should be admitted to membership in the United Nations (A/4462),

*Having considered* the application for membership of the Republic of Cyprus (A/4438),

*Decides* to admit the Republic of Cyprus to membership in the United Nations.

*864th plenary meeting,  
20 September 1960.*

1490 (XV). ADMISSION OF THE REPUBLIC OF SENE-  
GAL TO MEMBERSHIP IN THE UNITED NATIONS

*The General Assembly,*

*Having received* the recommendation of the Security Council of 28 September 1960 that the Republic of Senegal should be admitted to membership in the United Nations (A/4513),

*Having considered* the application for membership of the Republic of Senegal (A/4511),

*Decides* to admit the Republic of Senegal to membership in the United Nations.

*876th plenary meeting,  
28 September 1960.*

1491 (XV). ADMISSION OF THE REPUBLIC OF MALI  
TO MEMBERSHIP IN THE UNITED NATIONS

*The General Assembly,*

*Having received* the recommendation of the Security Council of 28 September 1960 that the Republic of Mali should be admitted to membership in the United Nations (A/4514),

*Having considered* the application for membership of the Republic of Mali (A/4512),

*Decides* to admit the Republic of Mali to membership in the United Nations.

*876th plenary meeting,  
28 September 1960.*

1492 (XV). ADMISSION OF THE FEDERATION OF NIGERIA TO MEMBERSHIP IN THE UNITED NATIONS

*The General Assembly,*

*Having received* the recommendation of the Security Council of 7 October 1960 that the Federation of Nigeria should be admitted to membership in the United Nations (A/4533),

*Having considered* the application for membership of the Federation of Nigeria (A/4527),

*Decides* to admit the Federation of Nigeria to membership in the United Nations.

*893rd plenary meeting,  
7 October 1960.*

1602. (XV). ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

*The General Assembly,*

*Noting* that the Mongolian People's Republic has been awaiting a decision on its application for admission to membership in the United Nations since 1946,

*Noting* that eight members of the Security Council voted on 4 December 1960 in favour of a draft resolution recommending the admission of the Islamic Republic of Mauritania to membership in the United Nations, but

that no recommendation was made to the General Assembly because of the opposition of a permanent member,<sup>3</sup>

*Considering* that it is important for the future of the United Nations that all applicant States which fulfil the conditions laid down in Article 4 of the Charter of the United Nations should be admitted to membership in the Organization,

1. *Declares* that in its view the Mongolian People's Republic is a peace-loving State within the meaning of Article 4 of the Charter of the United Nations, that it is able and willing to carry out the obligations of the Charter, and that it should, in consequence, be admitted to membership in the United Nations;

2. *Declares* that in its view the Islamic Republic of Mauritania is a peace-loving State within the meaning of Article 4 of the Charter, that it is able and willing to carry out the obligations of the Charter, and that it should, in consequence, be admitted to membership in the United Nations;

3. *Requests* the Security Council to take note of this decision of the General Assembly in regard to the candidature of the Islamic Republic of Mauritania.

*989th plenary meeting,  
19 April 1961.*

<sup>3</sup> See document A/4656 above.

### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 20 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4357	Letter dated 13 January 1960 from the Prime Minister of the Republic of Cameroun to the Secretary-General	Same text as S/4256. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for January, February and March 1960</i>
A/4377	Telegram dated 20 May 1960 from the Prime Minister of the Togolese Republic to the Secretary-General	Same text as S/4318. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for April, May and June 1960</i>
A/4386	Telegram dated 26 June 1960 from the President of the Malagasy Republic to the Secretary-General	Same text as S/4532/Rev.1. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for April, May and June 1960</i>
A/4387	Letter dated 28 June 1960 from the President of the Security Council to the Secretary-General concerning the application of the Federation of Mali for admission to membership in the United Nations	Mimeographed
A/4392	Telegram dated 1 July 1960 from the Provisional President of the Republic of Somalia to the Secretary-General	Same text as S/4360. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4394	Telegram dated 1 July 1960 from the Prime Minister of the Government of the Republic of the Congo (Leopoldville) to the Secretary-General	Same text as S/4361. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4430	Letter dated 2 August 1960 from the Prime Minister of the Republic of Dahomey to the Secretary-General	Same text as S/4428. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4431	Letter dated 7 August 1960 from the President of the Council of Ministers of the Republic of the Niger to the Secretary-General	Same text as S/4429. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4432	Letter dated 7 August 1960 from the President of the Republic of the Upper Volta to the Secretary-General	Same text as S/4430. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4433	Letter dated 7 August 1960 from the Chief of State of the Republic of the Ivory Coast to the Secretary-General	Same text as S/4431. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4435	Telegram dated 15 August 1960 from the President of the Republic of the Congo (Brazzaville) to the Secretary-General	Same text as S/4433. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4436	Letter dated 12 August 1960 from the President of the Government of the Republic of Chad to the Secretary-General	Same text as S/4434. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4438	Telegram dated 16 August 1960 from the President of the Republic of Cyprus to the Secretary-General	Same text as S/4435. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4441	Telegram dated 17 August 1960 from the President of the Gabon Republic to the Secretary-General	Same text as S/4436. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4445 and Add.1	Morocco: request for the inclusion of a supplementary item in the agenda of the fifteenth session	For the text of this document, see <i>Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 79</i>
A/4451	Telegram dated 22 August 1960 from the President of the Government of the Central African Republic to the Secretary-General	Same text as S/4455. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4511	Letter dated 20 September 1960 from the Minister for Foreign Affairs of the Republic of Senegal to the President of the Security Council and the Secretary-General	Same text as S/4530. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4512	Telegram dated 22 September 1960 from the President of the Government of the Republic of Mali to the Secretary-General	Same text as S/4535. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960</i>
A/4527	Telegram dated 1 October 1960 from the Prime Minister and Minister of Foreign Affairs and Commonwealth Relations of the Federation of Nigeria to the Secretary-General	Same text as S/4545. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for October, November and December 1960</i>
A/4594	Report of the First Committee	For the text of this document, see <i>Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 79</i>
A/4604	Telegram dated 28 November 1960 from the Prime Minister of the Islamic Republic of Mauritania to the Secretary-General	Same text as S/4563. See <i>Official Records of the Security Council, Fifteenth Year, Supplement for October, November and December 1960</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/L.295	France and Tunisia: draft resolution	For the text of this document, see <i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 16</i> , resolution 1476 (XV)
A/L.296	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1477 (XV)
A/L.297	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1478 (XV)
A/L.298	Italy, Tunisia and United Kingdom of Great Britain and Northern Ireland: draft resolution	<i>Idem.</i> resolution 1479 (XV)
A/L.299	Tunisia: draft resolution	<i>Idem.</i> resolution 1480 (XV)
A/L.300	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1481 (XV)
A/L.301	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1482 (XV)
A/L.302	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1483 (XV)
A/L.303	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1484 (XV)
A/L.304	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1485 (XV)
A/L.305	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1486 (XV)
A/L.306	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1487 (XV)
A/L.307	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1488 (XV)
A/L.308	Ceylon and United Kingdom of Great Britain and Northern Ireland: draft resolution	<i>Idem.</i> resolution 1489 (XV)
A/L.309	France and Tunisia: draft resolution	<i>Idem.</i> resolution 1490 (XV)
A/L.310	Ceylon, France and Tunisia: draft resolution	<i>Idem.</i> resolution 1491 (XV)
A/L.318	Australia, Canada, Ceylon, Federation of Malaya, Ghana, India, New Zealand, Pakistan, Tunisia, Union of South Africa and United Kingdom of Great Britain and Northern Ireland: draft resolution	<i>Idem.</i> resolution 1492 (XV)



**Agenda item 21: The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea\***

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, First Committee*, 1143rd to 1148th, 1152nd and 1161st meetings; and *ibid.*, *Plenary Meetings*, 995th meeting.

**DOCUMENT A/C.1/836**

**Letter dated 11 April 1961 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the Secretary-General**

[*Original text: English*]  
[12 April 1961]

I have the honour to submit herewith the statement by the delegation of the Republic of Korea to the fifteenth session of the United Nations General Assembly in connexion with "The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea" (item 21 of the agenda of the fifteenth session of the General Assembly).

In this connexion, may I ask Your Excellency that the statement be distributed to all Member States of the United Nations as an official document of the General Assembly.

(*Signed*) Channing LIEM  
*Permanent Observer*

**STATEMENT BY THE DELEGATION OF THE REPUBLIC OF KOREA TO THE FIFTEENTH SESSION OF THE GENERAL ASSEMBLY**

The delegation of the Republic of Korea to the United Nations declares:

1. The Republic of Korea has been brought into being by the United Nations; it has supported decisions

of the United Nations and will in the future respect its authority to deal with the Korean problem.

2. The Republic of Korea opposes the invitation by the United Nations of the representatives of the North Korean authorities (the so-called Democratic People's Republic of Korea) for the following reasons:

(a) The North Korean régime has refused to recognize the authority of the United Nations. It has defied United Nations decisions on the unification of Korea;

(b) The North Korean régime has committed aggression against the Republic of Korea. It still continues a state of war with the United Nations and has repeatedly violated the Armistice Agreement.

3. In view of the fact that the above-mentioned position of the North Korean régime is known to all, and inasmuch as the régime has never made it plain that it will recognize the authority of the United Nations and obey the latter's decisions, to invite North Korean representatives will only undermine the authority of the United Nations to resolve the Korean question.

**DOCUMENT A/C.1/837****Resolution adopted by the First Committee at its 1146th meeting on 12 April 1961**[Original text: English]  
[13 April 1961]*The First Committee*

*Decides* to invite a representative of the Republic of Korea as well as a representative of the Democratic People's Republic of Korea, provided that the latter first unequivocally accepts the competence and authority of the United Nations within the terms of the Charter to take action on the Korean question, as has already been done by the Republic of Korea, to participate, without the right to vote, in the discussion of the Korean question.

**DOCUMENT A/C.1/838****Telegram dated 17 April 1961 from the Minister of Foreign Affairs of the Democratic People's Republic of Korea to the President of the General Assembly and the Chairman of the First Committee**[Original text: English]  
[17 April 1961]

In reply to the information on the resolution of the First Committee adopted at its 1146th meeting, at the fifteenth session of the United Nations General Assembly, in relation to the question of participation of the representative of the Democratic People's Republic of Korea in the discussion of the Korean question, I have the honour to send you the attached text of the statement of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea, dated 17 April. I request you to communicate officially, without delay, this letter and the attached statement to all the delegates of the United Nations Member States.

(Signed) PAK Sung Chul  
Minister of Foreign Affairs

**STATEMENT OF THE MINISTRY OF FOREIGN AFFAIRS OF  
THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA**

At the meeting on 12 April 1961 of the First Committee, at the fifteenth session of the United Nations General Assembly, the United States delegate, disregarding the righteous claim of the delegates of many countries, had forced to pass his unjust resolution to invite "with proviso" a representative of the Government of the Democratic People's Republic of Korea to participate in the discussion of the Korean question. To attach any condition in inviting a party concerned to participate in the discussion of questions in the United Nations is a shameful act, which has no precedent in the history of the United Nations, and an unjust action entirely running counter to the principles of the United Nations. This is, in fact, a machination of the United

States Government to continue to exclude, as it did in the past, the participation of the representative of the Democratic People's Republic of Korea in the discussion of the Korean question in the United Nations.

The participation of the representative of the Government of the Democratic People's Republic of Korea, a party concerned, in the discussion of the Korean question in the United Nations is a fair and square right of the Korean people, which nobody can infringe upon. The Government of the Democratic People's Republic of Korea has always respected and supported the United Nations Charter. But only the United States Government has grossly violated the United Nations Charter, and has kept on impairing the authority of the United Nations. The United States Government has waged an aggressive war in Korea, making fraudulent use of the United Nations signboard, and, occupying South Korea, is hampering the peaceful unification of Korea. The United Nations must, on the basis of the principles of its Charter, take measures for the withdrawal of the United States forces and all other foreign troops from South Korea. The Korean question can be settled only by the Koreans themselves. No foreign interference whatsoever in the internal affairs of the Korean people must be allowed. This principle must be observed in the event of discussing the Korean question in the United Nations. So long as the Korean question is discussed in the United Nations, the Government of the Democratic People's Republic of Korea will send its representative. The Government of the Democratic People's Republic of Korea will not recognize any unjust resolution adopted in the United Nations without the participation and approval of its representative.

**DOCUMENT A/C.1/842****Statement intended for delivery to the First Committee by the representative of the United Nations Commission for the Unification and Rehabilitation of Korea**[Original text: English]  
[21 April 1961]

1. For the first time since 1950 the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK) has sent a representative to appear

before the regular session of the General Assembly in order to make himself available for consultation during the discussion of the Korean question by the General

Assembly. It is my great privilege and honour to represent UNCURK at the fifteenth session of the General Assembly. On behalf of the Commission and of myself, I wish therefore to express our sincere appreciation for the invitation extended to me by the First Committee of the General Assembly to sit in the deliberations of the Committee on the Korean question, as well as for the opportunity afforded me as such representative to give my report for the consideration of the members of the Committee.

### *Historical background of the Korean problem*

2. The historical background of the Korean question may be traced to circumstances and events which arose as far back as in 1945, when Korea was liberated shortly after the cessation of hostilities during the Second World War, and the occupying forces of the United States and the Soviet Union agreed on having the 38th parallel across the Korean peninsula as the dividing line of demarcation between their respective military zones of occupation for purposes of accepting the surrender of Japanese soldiers in Korea.

3. This arrangement, however, did not contemplate a political division of Korea at the 38th parallel. It was designed merely to meet certain requirements of military expediency. For by the end of 1943 an international agreement had already come into existence in the form of a declaration by the three Great Powers, namely, the United States of America, the United Kingdom and the Republic of China, concerning the objective of immediate independence for Korea. The declaration regarding Korean independence was reaffirmed in the Potsdam Proclamation of 26 July 1945, to which the Soviet Union expressed its adherence on 8 August 1945.

4. In view of the failure of direct military negotiations between the American Commander of the southern zone and the Soviet Commander of the northern zone to bring about the creation of a unified, independent Korea, a more detailed agreement was then concluded at the Meeting of Ministers of Foreign Affairs held at Moscow in December 1945, by the Governments of the United States, the Soviet Union and the United Kingdom, to which China subsequently adhered. Pursuant to this agreement, a Joint Commission, composed of representatives of the United States and the Soviet Union, was formed for the purpose of considering the formation of a provisional democratic Korean government for all of Korea and the negotiation of an agreement for a four-Power trusteeship, composed of the United States of America, the Soviet Union, the United Kingdom and China, with the aim in view of guiding Korea toward full independence.

5. This Joint Commission, however, soon reached a deadlock on the procedure to be followed for the implementation of the terms of the agreement concerning Korea reached at Moscow, particularly paragraph 2 thereof, which provides for consultation with "Korean democratic parties and social organizations". There can be no doubt that behind this disagreement between the two delegations within the Commission lay differences in outlook and policy.

6. As a result of this failure of direct negotiations within the framework of the Moscow agreement to achieve the goal of a democratic and independent government for a unified Korea, the whole question of Korean independence was submitted by the United

States, on 17 September 1947, to the General Assembly of the United Nations for consideration during its second regular session. On 23 September 1947 the General Assembly voted to take cognizance of the Korean question and to refer it to the First Committee for consideration and report. On 14 November 1947, the General Assembly adopted resolution 112 (II), wherein it was recognized that the question of Korean freedom and independence was primarily a matter for the Korean people themselves and that they should, therefore, be afforded adequate opportunity to express their preferences freely and to establish their own form of government. In line with this view, the General Assembly resolved that elected representatives of the Korean people should be invited to take part in the consideration of the Korean question. And in order to observe that the Korean representatives were in fact duly elected by the Korean people, and not mere appointees by military authorities in Korea, the General Assembly also resolved to establish the United Nations Temporary Commission on Korea "to be present in Korea, with right to travel, observe and consult throughout Korea". Further, the General Assembly recommended that elections should be held not later than 31 March 1948 to choose representatives with whom the Commission might consult regarding the prompt attainment of the freedom and independence of the Korean people; that the representatives, constituting a National Assembly, might establish a National Government of Korea; that the number of representatives should be proportionate to the population; that the elections should be on the basis of adult suffrage, by secret ballot, and under the observation of the Commission; and that Member States concerned should afford every assistance and facility to the Commission in the fulfilment of its responsibilities.

7. The Temporary Commission held its first meeting in Seoul on 12 January 1948. When it was excluded from North Korea, the Commission thereupon decided to submit to the Interim Committee of the General Assembly the question whether, in the light of its inability to cross the parallel and to go forward with the observance of general elections in both north and south Korea in accordance with General Assembly resolution 112 (II), it was "open to or incumbent upon" the Commission to implement the programme outlined in the aforesaid resolution in South Korea alone. In the resolution adopted by the Interim Committee on 26 February 1948, the view was held that the Temporary Commission should proceed with the observance of elections in all of Korea or, if that were impossible, in as much of Korea as was accessible to it. Thus, the Interim Committee entertained the hope that, by going forward with separate elections and the establishment of a sovereign government in South Korea, the full co-operation of all Koreans would ultimately be secured.

8. Elections were accordingly held in South Korea on 10 May 1948. They were regarded by all who participated as a step towards securing the unity and independence of Korea. The Temporary Commission undertook a comprehensive programme of observation of the elections, and on the basis of these observations reported to the General Assembly of the United Nations that the results of the elections of 10 May 1948 were a valid expression of the free will of the electorate in South Korea in which the inhabitants constituted approximately two-thirds of the people of all Korea. Whereupon at its third session the General Assembly adopted, on 12 December 1948, a resolution declaring

that "there has been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult . . . and that this is the only such Government in Korea" (resolution 195 (III)). Following the adoption of this resolution some thirty-eight countries extended *de jure* recognition to the Government of the Republic of Korea. On 19 January 1949 the Republic of Korea applied for membership in the United Nations, but, owing to the negative vote of a permanent member of the Security Council, no recommendation for its admission could be made to the General Assembly.

*Assumption of primary responsibility by the United Nations*

9. In adopting resolution 112 (II), the General Assembly undoubtedly set up by this action a milestone in the history of the United Nations. For this was the first time that the world Organization had taken cognizance of, and assumed jurisdiction for solving, a problem in which direct bilateral negotiations between the major Powers concerned had failed to provide a peaceful solution.

10. Hence, ever since this resolution was adopted in 1947 by the General Assembly, the United Nations has always been represented politically in Korea up to the present by a series of Commissions. And through these Commissions the United Nations assumed primary responsibility for the establishment of the unity and national independence of Korea on a democratic basis. And not only that, the United Nations helped to create the Republic of Korea, and nourished it to its present stage of growth and stature. When the Korean conflict broke out in 1950, threatening the Republic of Korea with extinction, it was the United Nations which called on its Members to come to the Republic's defence. Thus, Korea provides the first example in history of a collective security organization in actual operation.

11. In a wide sense, therefore, this General Assembly resolution of 1947 is of far-reaching importance. For it set the pattern for subsequent actions taken by the General Assembly in relation to the Korean problem, and provided the key to the presence, organization and activities of all the United Nations Commissions which have operated in Korea.

*Commission for the Unification and Rehabilitation of Korea*

12. At present, the principal representative of the United Nations in Korea is the United Nations Commission for the Unification and Rehabilitation of Korea. This Commission was established by General Assembly resolution 376 (V), adopted on 7 October 1950. The terms of reference of this Commission are to be found in three General Assembly resolutions, namely, resolutions 376 (V), 293 (IV) and 410 (V).

13. In general this Commission was entrusted by the General Assembly with the following functions and responsibilities:

(i) To observe and report any developments which might lead to or otherwise involve military conflict in Korea;

(ii) To seek to facilitate the removal of barriers to economic, social and other friendly intercourse caused by the division of Korea; and make available its good

offices and be prepared to assist, whenever in its judgement a favourable opportunity arises, in bringing about the unification of Korea in accordance with principles laid down by the General Assembly in resolution 112 (II) of 14 November 1947;

(iii) To have authority, in order to accomplish the foregoing objectives, in its discretion to appoint observers, and to utilize the services and good offices of one or more persons whether or not representatives on the Commission;

(iv) To be available for observation and consultation throughout Korea in the continuing development of representative government based on the freely-expressed will of the people, including elections of national scope;

(v) To take all constituent acts, including the holding of elections, under the auspices of the United Nations, for the establishment of a unified, independent and democratic government in the sovereign State of Korea;

(vi) To invite all sections and representative bodies of the population of Korea, South and North, to co-operate with the organs of the United Nations in the restoration of peace, in the holding of elections and in the establishment of a unified government;

(vii) To represent the United Nations in bringing about the establishment of a unified, independent and democratic government of all Korea;

(viii) To exercise such responsibilities in connexion with rehabilitation in Korea as might be determined by the General Assembly after receiving the recommendations of the Economic and Social Council;

(ix) To report to the General Assembly and to render such interim reports as it might deem appropriate to the Secretary-General for transmission to Members.

*Activities of the United Nations Commission for the Unification and Rehabilitation of Korea*

14. For the last ten years this Commission has pursued its efforts to promote the United Nations objectives in Korea, as laid down in the various resolutions of the General Assembly relating thereto. Throughout this period it has followed closely developments concerning the question of unification. It has not only observed political events but has made itself available at all times for consultation in the development of representative government in the Republic of Korea. During elections it has formed special observation teams to observe the conduct of elections in different parts of the country. In addition, the individual members of the Commission have periodically undertaken trips to all provinces of the Republic in order to observe and report developments in the social and economic conditions of the people.

15. The Commission has also maintained contact with the United Nations Command at different levels as circumstances required. At this juncture may I be permitted to place on record the co-operation which the Commission has heretofore received from the United Nations Command, which has helped to provide accommodation and transport for members and observation teams of the Commission whenever they travelled through the country.

16. The members of the Commission have also frequently met with high officials of the Government,

the Ministries and the National Assembly of the Republic of Korea. The Commission has kept in contact with heads of the diplomatic missions in Korea and has consulted with them on important political questions. It has met and exchanged views, both formally and informally, with high officials of member countries of the United Nations who have visited Korea. The Commission has also discharged its responsibilities towards the United Nations Korean Reconstruction Agency since the latter's creation by the General Assembly in 1950. Since the closure of the Agency in August 1960, the Commission has been giving increasing attention to the problems of rehabilitation and long-term economic development of the Republic of Korea.

17. In carrying out all these functions and activities, the individual members of the Commission have at all times faithfully observed and maintained a scrupulous regard for the inherent character of the Commission as a creation and instrumentality of the United Nations. It is to the credit of the members of this Commission that at no instance have they allowed themselves in the discharge of their specific mandates from the United Nations to be influenced in the least by the national policies or attitudes of their respective governments, or by the political interests or views of any group of nations, on any given issue or question. They have strictly adhered, both individually and collectively, to the terms of reference of the Commission as laid down by the relevant resolutions of the General Assembly and to the general principles enunciated in the Charter of the United Nations. At this point I wish also to state that throughout this period the task of UNCURK has been facilitated by the assistance of able and devoted members of the United Nations Secretariat who have been assigned to the Commission.

### *The question of unification*

18. Since its establishment in 1950, the Commission has borne in mind the twin fundamental objectives of the United Nations in Korea, namely, to bring about, by peaceful means, the establishment of a unified, independent and democratic Korea under a representative form of government, and the full restoration of international peace and security in the area. In the view of the Commission these two objectives are intimately linked and any progress made towards the solution of the Korean question in accordance with United Nations principles would assuredly contribute towards the full restoration of peace and security in the area.

19. The Commission has endeavoured, through every channel available to it, to make friendly contact with the North Korean authorities, to offer its good offices, and to assist in every possible way in bringing about a unified, independent and democratic Korea by peaceful means. Despite all these efforts of the Commission, however, no response was made on the part of the North Korean authorities. From the many radio broadcasts emanating from the North it would appear that the reason for this attitude was that the Commission was simply unwelcome in North Korea.

20. On the other hand, the Republic of Korea has placed no restrictions whatever upon observation within the country by the Commission. It has continued to regard the Commission as an important symbol of the United Nations interest in Korea. The Republic, recognizing that it is in some sense a creation of the United Nations, looks upon the Commission for assist-

ance in solving many of its problems. Generous co-operation has been extended to the Commission by the Government, which has willingly acceded to all requests made for investigatory facilities and has helped arrange for conferences with all persons designated by the Commission. The Government has also provided, upon request, such information as was within its capacity to supply. The general attitude of the Government was to regard the Commission as a moral force constituting a stabilizing factor and a deterrent to external aggression.

21. Moreover, the Republic of Korea is now a member of many specialized agencies of the United Nations, submitting reports when they are sought, and permitting visits by international officials. This willingness to open the Republic of Korea to the outside world, to seek international assistance and to co-operate in the work of international bodies is a sign of genuine desire to carry out the purposes and principles of the Charter of the United Nations to the best of the country's ability.

22. In view of its exclusion from the North and the continuing non-acceptance of the United Nations principles for unification on the part of the North Korean authorities, the Commission has been unable to make any progress towards the realization of the unification of North and South Korea. Nevertheless, the Commission, remaining convinced of the pressing need for a peaceful settlement of the Korean question, has carried on its activities within the limited role imposed upon it by the circumstances.

23. There is no question that the physical division of Korea in 1945 at the 38th parallel was artificial and unnatural and from all points of view unacceptable to all parties concerned except as a temporary measure. Never has doubt been expressed from anywhere regarding this fact. It is in the procedure or method for achieving the common objective of unification that disagreement has persistently existed since the division of the country in 1945. Behind this disagreement, as I have noted earlier, lay differences in outlook and policy. These differences, however, did not spring from local causes, or from anything inherent in the Korean situation itself. They were a manifestation of those wider differences which have become so marked a feature of the international scene.

24. The division, however, was further aggravated by the Korean conflict which erupted on 25 June 1950. Although the conflict was brought to a halt on 27 July 1953 by the conclusion of an Armistice Agreement, the Commission has consistently taken the view that the said agreement was not a peace settlement but only a step towards ultimate ends that should be sought in a full-scale peace settlement. So far all efforts exerted along this line of action have proved in vain. As a result, the armistice still remains in operation and the Korean question as such has remained unsettled.

25. All the while, the attitude of the authorities in North Korea has undergone no basic change. They have not shown any signs of acceptance of the principles already laid down by the United Nations, nor indicated any willingness to negotiate on the basis of those principles.

26. Irrespective of whether a political settlement between North and South, making possible the unification of the country as a democratic nation, is a question of the present or the future, the Commission is convinced that the political objective of the United Nations must remain the establishment of a unified, independent and democratic Korea.

*Social, economic and political developments*

27. Since its establishment in 1948, the Republic of Korea has made remarkable progress in the social, economic and political fields, considering the time element involved, the meagre natural resources of the country, and the background conditions under which it was accomplished.

28. Barely ten years ago the Republic of Korea was ravaged by a devastating war which raged for three years in a see-saw manner, thus leaving in its wake a country reduced almost to rubble, a people decimated, an economy in a shambles, a society sunk in the depths of untold misery and privations.

29. In addition, Korea under the Japanese administration had been developed as a part of the Japanese economy and not as a self-sustaining unit. The Korean economy, geared to and complementary to that of Japan, was entirely disrupted as a consequence of the Second World War. During the years of the war, moreover, industrial plants had seriously deteriorated and agricultural output had been sharply reduced. Added to these handicaps was the dearth of qualified Korean personnel to fill governmental, technical and even workshop positions. It was then necessary to develop a completely new educational system to replace that formerly obtaining in Korea before its liberation.

30. The division of Korea at the 38th parallel has had possibly even more disastrous an effect on the Korean economy than the consequences of the Second World War, for resources are not evenly distributed throughout the peninsula. The South lacks basic mineral resources, while the North has valuable minerals, especially coal, and excellent hydro-electric plants. Hence the economies of the northern and southern portions are complementary one to the other. Since 1945, however, political disagreements have precluded economic relations between these two naturally complementary economies. In April 1949 the Republic finally closed the border to all official trade on the ground that it was being used for subversive ends.

31. A further burden was placed upon the Republic of Korea by the influx of more than two million refugees from Japan, China and Manchuria, as well as from North Korea, which, together with a high rate of natural population growth, increased South Korea's population by 40 per cent in the period from 1945 to the present, or from about 16 to over 22 million.

32. Against all that background of wide-spread destruction of life and property and tragic handicaps, the Korean people rose to meet the challenge of reconstruction and rehabilitation, with the generous assistance given by the United Nations, the United States of America and other democratic countries of the free world. Without that aid it would be difficult indeed to visualize the conditions under which Koreans would be living today.

33. The progress achieved by the Republic of Korea during the last six years, after the signing of the Armistice Agreement, is reflected, first of all, in the number of public and private educational institutions established on different levels of education. Today, the Republic may well be proud of having one of the highest percentages of literacy in Asia, and perhaps the highest percentage of attendance of school-age children in the world.

34. The modernization of the social structure of the Republic has also advanced by leaps and bounds. This

is reflected in the new Constitution, in the organization of governmental agencies operating at both local and national levels, in the number of newspapers and magazines, libraries and museums, theatres, motion pictures, sports and arts, in the means of transportation and mass communications, in the legal system governing family and property relations—in short, in a hundred and one built-in features and characteristics which generally distinguish a modernized society.

35. In assessing the growth of democracy in the Republic of Korea, certain factors should be taken into account. When the Republic was founded in 1948, it had to overcome great difficulties arising from the lack of trained leaders, the absence of political education and experience among the Korean people, and the psychological effects of forty years of foreign domination superimposed on many centuries of feudal life. Then, before it could be firmly organized, the Republic was struck by war and wide-spread devastation. Most of the country became a battlefield at one time or another. Large numbers of Koreans lost their lives; entire communities were wiped out, and others largely destroyed; twice, the Government of the Republic had to evacuate its capital, and five times the central administration had to be moved and re-established in a different place. Serious problems of administration and internal security had to be faced as they arose, without previous planning or experience.

36. Although the Republic of Korea has the counterpart of many political institutions of Western democracy, these institutions, during the early years of the Republic, had to be adapted and developed to meet Korean needs, tradition and history.

37. It is, therefore, not surprising that in the first years of the Republic certain deficiencies and weaknesses existed in the Government, that abuse of power occurred, and that corruption and inefficiency existed. While in the opinion of the Commission such things should not be ignored, they must, however, be viewed in their true perspective. It would be too much to expect the Republic of Korea to start its existence without undergoing the painful process of trial and error.

38. Despite all these set-backs, however, the development of democratic institutions within the Republic, as well as the growth of a strong sense of political solidarity on the part of the Korean people have continued progressively. This is evident from such historical developments as the establishment of the Republic of Korea with all its panoply of democratic political institutions, the April revolution of 1960 and the subsequent formation of a parliamentary system of government. In the context of modern history, these notable achievements would not have been possible had the Korean people not felt and acted as a nation with a profound faith in democratic processes and a deep sense of political solidarity and common destiny. Indeed, it was the indomitable resistance of the Korean people that gave the United Nations forces a breathing spell within which to organize and launch a formidable fighting machine that rolled back the tide of invasion which had overrun the Republic in 1950.

39. Recent political developments not only have confirmed the increasing ability of the Republic of Korea to develop by its own efforts a democratic system of government and administration and to adapt the institutions of democracy to the needs, character and traditions of the Korean people, but also have demonstrated the "further growth and spread of an active

concern on the part of the Korean people for democratic methods and the safeguarding of civil liberties" [A/4466, para. 15]. They have shown sustained efforts and a "nation-wide determination to correct abuses of power, root out corruption, and eliminate all possible weaknesses or deficiencies in the political life of the Republic" [*ibid.*].

40. In the Commission's view, therefore, the foundations of democracy have been progressively strengthened during the past ten years, despite the great difficulties encountered, including the division of the country, the destruction of war and the problems of rehabilitation and reconstruction.

41. In the economic sphere, as well, the Korean people have made considerable strides towards the rehabilitation of their country and the progressive industrialization of their national economy. And so it may be said that "by 1958 the reconstruction phase had largely been fulfilled, and that the present phase is one of development and growth with intervening periods of adjustment" [*ibid.*, para. 45].

42. Although economic growth in the Republic of Korea, especially in the field of industry, has been encouraging over the last six years, certain obstacles continue to retard progress. First of all, there is the division of the country. It has deprived both sectors of complementary elements in an over-all economy, elements which cannot be easily or economically replaced. Thus it has led the Government of the Republic to carry out industrial development that otherwise might not have been necessary to the same extent.

43. In the second place, under existing circumstances, it is necessary for the Republic to bear the present heavy burden for its security in a divided peninsula. Accordingly, defence expenditures account for a substantial portion of the general budget and constitute one of the factors limiting desirable long-range development projects and economic growth towards a self-sustaining economy.

44. In view of the fundamental role that the United Nations has played in the establishment and then in the defence of the Republic of Korea, the responsibilities for continued assistance from the United Nations, as well as from individual countries, remain great; the needs are still extensive, and the continuing challenge for such economic aid is one not to be ignored.

45. In the meantime, security against outside aggression must be assured to the Republic of Korea. Korea in its long history has often experienced invasion because of the strategic position of the peninsula. In its remote past, Korea has also suffered from internal division. However, despite invasions and divisions, Korea has emerged as a nation of one people, one language and one culture—a people that has remained firm in its determination to resist aggression and foreign domination, and to save the integrity of its country and preserve its cultural heritage. Continued support and assistance by the United Nations, through its political, economic and social organs, will undoubtedly help the Korean people to mend the wounds of war, build a self-sustaining economy, and keep its place among the free nations of the world.

## DOCUMENT A/4746\*

### Report of the First Committee

[Original text: English]  
[21 April 1961]

1. At its 294th plenary meeting, on 7 October 1950, the General Assembly adopted resolution 376 (V) on the problem of the independence of Korea, and established the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK).

2. In accordance with its terms of reference, UNCURK submitted, on 20 August 1960, a report covering the period from 11 August 1959 to 20 August 1960 (A/4466), and on 18 September 1960, a supplementary report, covering subsequent developments (A/4466/Add.1).

3. At its 898th plenary meeting, on 10 October 1960, the General Assembly included in the agenda of the fifteenth session the item entitled "The Korean question: report of the United Nations Commission for the Unification and Rehabilitation of Korea", and at its 904th meeting, on 13 October, referred it to the First Committee for consideration and report.

4. By a telegram dated 22 October 1960 (A/C.1/827), the Minister of Foreign Affairs of the Democratic People's Republic of Korea requested the participation of a representative of his Government in a discussion of the Korean question at the fifteenth session.

5. The First Committee also had before it the following communications: letter dated 24 November 1960 from the Permanent Representative of the USSR

to the United Nations addressed to the President of the General Assembly and the Secretary-General, transmitting a letter dated 29 October 1960 from the Minister of Foreign Affairs of the Democratic People's Republic of Korea addressed to the President of the General Assembly and the Secretary-General (A/C.1/830); letter dated 7 December 1960 from the Chairman of the USSR delegation to the fifteenth session of the General Assembly addressed to the President of the General Assembly (A/C.1/832); letter dated 6 March 1961 from the Minister of Foreign Affairs of the Democratic People's Republic of Korea addressed to the President of the General Assembly (A/C.1/833); letter dated 22 December 1960 from the Minister for Foreign Affairs of the People's Republic of Albania addressed to the President of the General Assembly (A/C.1/834); letter dated 20 March 1961 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the President of the General Assembly and the Secretary-General (A/C.1/835); letter dated 20 December 1960 from the Permanent Representative of the USSR to the United Nations addressed to the President of the General Assembly and the Secretary-General, forwarding a letter dated 25 November 1960 from the Minister of Foreign Affairs of the Democratic People's Republic of Korea addressed to the President of the General Assembly and the Secretary-General (A/C.1/L.266); letter dated 11 April 1961 from the Permanent Observer of the Republic of Korea

\* Incorporating document A/4746/Corr.1.

to the United Nations addressed to the Secretary-General (A/C.1/836).

6. The First Committee considered the item at its 1143rd to 1148th, 1152nd and 1161st meetings, held between 10 and 21 April 1961.

7. At the 1143rd meeting, on 10 April 1961, the Committee had before it two draft resolutions:

(a) A draft resolution submitted by the United States of America (A/C.1/L.268), reading as follows:

*"The First Committee*

*"Decides to invite a representative of the Republic of Korea to participate, without the right to vote, in the discussion of the Korean question."*

(b) A draft resolution submitted by the Union of Soviet Socialist Republics (A/C.1/L.270), reading as follows:

*"The First Committee,*

*"Recognizing that there can be no fruitful discussion of the Korean question without the participation of representatives of the Democratic People's Republic of Korea and the Republic of Korea,*

*"Decides to invite representatives of the Democratic People's Republic of Korea and the Republic of Korea to participate, without the right to vote, in the discussion of the Korean question at the fifteenth session of the United Nations General Assembly."*

8. At the same meeting, Indonesia submitted an amendment (A/C.1/L.272) to the United States draft resolution (A/C.1/L.268), providing for the insertion, after the words "the Republic of Korea", of the words "as well as a representative of the Democratic People's Republic of Korea".

9. At the 1144th meeting, on 11 April, the United States of America submitted a sub-amendment (A/C.1/L.273) to the Indonesian amendment (A/C.1/L.272) which read as follows:

*"After the words 'as well as a representative of the Democratic People's Republic of Korea', insert the words 'provided that the latter first unequivocally accepts the competence and authority of the United Nations within the terms of the Charter to take action on the Korean question, as has already been done by the Republic of Korea'."*

10. At the 1145th meeting, on 12 April, a motion proposed by the representative of India, under rule 117 of the rules of procedure, for the adjournment of the debate on the Korean question until the sixteenth session of the General Assembly was rejected by a roll-call vote of 49 to 30, with 17 abstentions.

11. At the 1146th meeting, on 12 April, the Committee took the following roll-call votes:

(a) The United States sub-amendment (A/C.1/L.273) was adopted by 59 votes to 14, with 22 abstentions;

(b) The Indonesian amendment (A/C.1/L.272) was adopted by 59 votes to 14, with 23 abstentions;

(c) The United States draft resolution (A/C.1/L.268), as amended, was adopted by 59 votes to 14, with 23 abstentions (see document A/C.1/837);

(d) A motion submitted by the representative of Liberia that the USSR draft resolution (A/C.1/L.270) should not be put to the vote, was adopted by 54 votes to 33, with 7 abstentions;

(e) A motion submitted by the representative of the USSR, under rule 117 of the rules of procedure, for the adjournment of the discussion of the Korean question until a reply had been received from the Government of the Democratic People's Republic of Korea, was rejected by 52 votes to 28, with 11 abstentions.

12. At the 1148th meeting, on 14 April, the representative of Japan proposed that the representative of the Republic of Korea should be seated immediately at the Committee table, in accordance with the resolution adopted by the Committee (A/C.1/837), and requested the Chairman to make a ruling on the proposal. The Chairman ruled that, because the original United States draft resolution (A/C.1/L.268) had been adopted as amended, he could not seat the representative of the Republic of Korea without at the same time seating the representative of the People's Democratic Republic of Korea. Japan challenged the ruling, requesting that it be put to the vote under rule 114 of the rules of procedure. The Chairman withdrew his ruling, but Japan contested the legality of the withdrawal and pressed for a vote on the proposal. The representative of the Sudan submitted an oral amendment to the Japanese proposal to the effect that the representative of the Republic of Korea should be seated when the discussion of the Korean question would commence. The representative of Saudi Arabia submitted an oral sub-amendment to the Sudanese amendment, to the effect that the representative of the Republic of Korea should be seated when the substance of the Korean question was discussed. The sub-amendment was accepted by the Sudan.

13. At the same meeting, the Committee took roll-call votes on procedural motions submitted, as follows:

(a) An Indonesian motion for the adjournment of the meeting, under rule 119 of the rules of procedure, was rejected by 38 votes to 24, with 17 abstentions;

(b) A Nigerian motion for the adjournment of the meeting, under rule 119, was rejected by 40 votes to 32, with 15 abstentions;

(c) An Afghan proposal that the consideration of the Korean question should be postponed until the sixteenth session of the General Assembly was rejected by 44 votes to 29, with 12 abstentions;

(d) A USSR motion for the adjournment of the meeting, under rule 119, was rejected by 40 votes to 29, with 13 abstentions;

(e) A New Zealand motion, under rule 118, for the closure of the debate on the Japanese proposal was adopted by 46 votes to 18, with 19 abstentions;

(f) A motion by the Ukrainian SSR that the Japanese proposal and the amendment thereto be circulated in writing, in accordance with rule 121, was rejected by 46 votes to 13, with 16 abstentions;

(g) An Afghan motion for the adjournment of the meeting was rejected by 42 votes to 28, with 10 abstentions;

(h) On a point raised by the representative of the USSR as to whether rule 124 of the rules of procedure was applicable to the vote on the Japanese proposal, the Committee decided in the negative by 44 votes to 16, with 13 abstentions;

(i) After the Sudanese amendment was withdrawn, the Japanese proposal was adopted by 44 votes to 15, with 18 abstentions.

The Committee also adopted, without objection, a proposal submitted earlier by the representative of the

Netherlands that the representative of UNCURK should be invited to sit at the Committee table.

14. In reply to a telegram dated 13 April 1961 by which the Secretary-General transmitted the resolution adopted by the First Committee (A/C.1/837) to the Minister of Foreign Affairs of the Democratic People's Republic of Korea, the President of the General Assembly received a telegram dated 17 April 1961 from the Minister of Foreign Affairs [*for the text, see document A/C.1/838 above*].

15. On 10 April, Australia, Belgium, Colombia, France, Greece, Luxembourg, the Netherlands, the Philippines, Thailand, Turkey, the Union of South Africa, the United Kingdom of Great Britain and Northern Ireland and the United States of America submitted a draft resolution (A/C.1/L.269), reading as follows:

*"The General Assembly,*

*"Having received the report of the United Nations Commission for the Unification and Rehabilitation of Korea,*

*"Reaffirming its resolutions 112 (II) of 14 November 1947, 195 (III) of 12 December 1948, 293 (IV) of 21 October 1949, 376 (V) of 7 October 1950, 811 (IX) of 11 December 1954, 910 A (X) of 29 November 1955, 1010 (XI) of 11 January 1957, 1180 (XII) of 29 November 1957, 1264 (XIII) of 14 November 1958 and 1455 (XIV) of 9 December 1959,*

*"Noting with deep satisfaction the continuing support of democratic principles and practices in the Republic of Korea; the full support which the Government of the Republic of Korea is giving for the peaceful unification of the Korean nation in accordance with the principles endorsed by the General Assembly; and the fervent desire of all the Korean people to decide their own future in unity and freedom,*

*"Noting that the competence and authority of the United Nations to deal with the Korean question has*

been affirmed by repeated resolutions of the General Assembly, and believing that the Republic of Korea, which has been repeatedly recognized by the General Assembly as fully qualified for membership in the United Nations, is entitled to the favourable vote of all the members of the Security Council,

*"Noting further that the United Nations forces, which were sent to Korea in accordance with resolutions of the United Nations, have in greater part already been withdrawn and that the Governments concerned are prepared to withdraw their remaining forces from Korea when the conditions for a lasting settlement laid down by the General Assembly have been fulfilled,*

*"1. Reaffirms that the objectives of the United Nations in Korea are to bring about by peaceful means the establishment of a unified, independent and democratic Korea under a representative form of government, and the full restoration of international peace and security in the area;*

*"2. Calls upon the communist authorities concerned to accept these established United Nations objectives in order to achieve a settlement in Korea based on the fundamental principles for unification set forth by the nations participating on behalf of the United Nations in the Korean political conference held at Geneva in 1954, and reaffirmed by the General Assembly, and to agree at an early date on the holding of genuinely free elections in accordance with the principles endorsed by the General Assembly;*

*"3. Requests the United Nations Commission for the Unification and Rehabilitation of Korea to continue its work in accordance with the relevant resolutions of the General Assembly;*

*"4. Requests the Secretary-General to place the Korean question on the provisional agenda of the sixteenth session of the General Assembly."*

16. At the 1161st meeting, on 21 April 1961, the Committee decided, without objection, to recommend to the General Assembly that consideration of this item should be adjourned until the sixteenth session.

### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 995th plenary meeting, on 21 April 1961, the General Assembly took note of the report of the First Committee (A/4746).

### CHECK LIST OF DOCUMENTS

*Note.* This check list includes all the documents mentioned during the consideration of agenda item 21 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4466 and Add.1	Report of the United Nations Commission for the Unification and Rehabilitation of Korea	<i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 13</i>
A/C.1/827	Telegram dated 22 October 1960 from the Minister of Foreign Affairs of the Democratic People's Republic of Korea to the President of the General Assembly and the Secretary-General	Mimeographed
A/C.1/830	Letter dated 24 November 1960 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the President of the General Assembly and to the Secretary-General, transmitting a letter dated 29 October 1960 from the Minister of Foreign Affairs of the Democratic People's Republic of Korea, together with a memorandum	Ditto

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.1/832	Letter dated 7 December 1960 from the Chairman of the delegation of the Union of Soviet Socialist Republics addressed to the President of the General Assembly, transmitting a statement by the Soviet Government	Ditto
A/C.1/833	Letter dated 9 March 1961 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the President of the General Assembly, transmitting a letter dated 6 March 1961 from the Minister of Foreign Affairs of the Democratic People's Republic of Korea, together with a memorandum	Ditto
A/C.1/834	Letter dated 22 December 1960 from the Minister for Foreign Affairs of the People's Republic of Albania to the President of the General Assembly, transmitting a declaration by the Albanian Government	Ditto
A/C.1/835	Letter dated 20 March 1961 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the President of the General Assembly and to the Secretary-General, transmitting a memorandum of the Government of the Republic of Korea	Ditto
A/C.1/843	Letter dated 21 April 1961 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the Secretary-General	Ditto
A/C.1/L.266	Letter dated 20 December 1960 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the President of the General Assembly and to the Secretary-General, transmitting a letter dated 25 November 1960 from the Minister of Foreign Affairs of the Democratic People's Republic of Korea, together with three enclosures	Ditto
A/C.1/L.268	United States of America: draft resolution	See A/4746, para. 7
A/C.1/L.269	Australia, Belgium, Colombia, France, Greece, Luxembourg, Netherlands, Philippines, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	<i>Ibid.</i> , para. 15
A/C.1/L.270	Union of Soviet Socialist Republics: draft resolution	<i>Ibid.</i> , para. 7
A/C.1/L.272	Indonesia: amendment to document A/C.1/L.268	<i>Ibid.</i> , para. 8
A/C.1/L.273	United States of America: amendment to document A/C.1/L.272	<i>Ibid.</i> , para. 9



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**Agenda item 22: Report of the Committee on the Peaceful Uses of Outer Space\***

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**C O N T E N T S**

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
A/4749	Report of the First Committee . . . . .	1
<b>Action taken by the General Assembly</b> . . . . .		1

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\* See *Official Records of the General Assembly, Fifteenth Session, First Committee*, 1161st meeting; and *ibid.*, *Plenary Meetings*, 995th meeting.

**DOCUMENT A/4749**

**Report of the First Committee**

[*Original text: English*]  
[21 April 1961]

1. The item entitled "Report of the Committee on the Peaceful Uses of Outer Space" was included in the provisional agenda of the fifteenth session of the General Assembly by the Secretary-General.
2. At its 127th meeting, on 22 September 1960, the General Committee recommended that this item be included in the agenda of the General Assembly and at its 130th meeting, on 28 September 1960, recommended that it be referred to the First Committee.
3. At its 898th and 904th meetings, on 10 and 13 October 1960, the General Assembly accepted the recommendations made by the General Committee.
4. At the 1161st meeting, on 21 April 1961, the First Committee decided to recommend to the General Assembly that consideration of the item be deferred until the sixteenth session of the Assembly.

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**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 995th plenary meeting, on 21 April 1961, the General Assembly took note of the report of the First Committee (A/4749).



**Agenda item 23: Question of an increase in the membership of the Security Council and of the Economic and Social Council\***

**C O N T E N T S**

Document No.	Title	Page
A/SPC/L.51 and Add.1 to 5 and Corr.1	Argentina, Australia, Austria, Bolivia, Brazil, Cameroun, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Ecuador, El Salvador, Federation of Malaya, Gabon, Greece, Guatemala, Haiti, Honduras, Italy, Ivory Coast, Japan, Laos, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Somalia, Thailand, Togo, Tunisia, Upper Volta, Uruguay and Venezuela: draft resolution . . . . .	1
A/SPC/L.52 and Add.1 to 3	Argentina, Bolivia, Brazil, Cameroun, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Ecuador, El Salvador, Federation of Malaya, Greece, Gabon, Guatemala, Haiti, Honduras, Italy, Ivory Coast, Japan, Laos, Madagascar, Nicaragua, Niger, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Thailand, Togo, Upper Volta, Uruguay and Venezuela: draft resolution . . . . .	2
A/SPC/L.53/Rev.1	Burma, Ceylon, Ghana, India and Iraq: revised draft resolution . . . . .	2
A/4626	Report of the Special Political Committee . . . . .	3
<b>Action taken by the General Assembly . . . . .</b>		<b>6</b>
<b>Check list of documents . . . . .</b>		<b>6</b>

\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Special Political Committee*, 186th to 199th, 214th to 219th meetings; and *ibid.*, *Plenary Meetings*, 960th meeting.

**DOCUMENTS A/SPC/L.51 AND ADD.1 TO 5 AND CORR.1<sup>1</sup>**

**Argentina, Australia, Austria, Bolivia, Brazil, Cameroun, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Ecuador, El Salvador, Federation of Malaya, Gabon, Greece, Guatemala, Haiti, Honduras, Italy, Ivory Coast, Japan, Laos, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Somalia, Thailand, Togo, Tunisia, Upper Volta, Uruguay and Venezuela: draft resolution**

[Original text: Spanish]  
[3 November 1960]

*The General Assembly,*

*Having regard* to the increase in the membership of the United Nations and to the functions of the Economic and Social Council,

*Considering* that to ensure sufficiently broad participation in the work of the Economic and Social Council it is desirable to increase the number of its members,

1. *Adopts* the following amendments to the Charter and submits them for ratification by the Members of the United Nations:

<sup>1</sup> Documents A/SPC/L.51/Add.1 dated 4 November 1960, A/SPC/L.51/Add.2 dated 7 November 1960, A/SPC/L.51/Add.3 dated 8 November 1960, A/SPC/L.51/Add.4 dated 9 November 1960 and A/SPC/L.51/Add.5 of 10 November 1960 contained requests that Australia, Austria, Cameroun, Canada, Central African Republic, Federation of Malaya, Greece, Italy, Japan, Laos, Netherlands, New Zealand, Pakistan, Philippines, Thailand and Togo, be added to the list of sponsors of this draft resolution. Document A/SPC/L.51/Corr.1 of 5 December 1960 contained a request that Liberia be removed from the list of sponsors of this draft resolution.

(a) Article 61 (1) shall read:

"1. The Economic and Social Council shall consist of twenty-four members of the United Nations elected by the General Assembly."

(b) Article 61 (2) shall read:

"2. Subject to the provisions of paragraphs 3 and 4, eight members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election."

(c) In Article 61 the following new paragraph 4 shall be inserted, and the former paragraph 4 shall be renumbered 5:

"4. Of the six additional members of the Economic and Social Council first elected after the entry into force of the amendment increasing the membership of the Council from eighteen to twenty-four, two shall be replaced at each of the next three regular elections,

in accordance with arrangements to be made by the General Assembly.”

(d) These amendments shall be inoperative unless, within three years from the date of their adoption by the General Assembly, they are ratified as required by the Charter for entry into force.

2. *Urges* all Members of the United Nations to ratify the above amendments in accordance with their respec-

tive constitutional processes, with the least possible delay;

3. *Decides* to fill the seats of the six members added to the Council by the above amendments as soon as possible after these amendments have entered into force and, if necessary, to hold a special session of the General Assembly for that purpose.

## DOCUMENTS A/SPC/L.52 AND ADD.1 TO 3<sup>2</sup>

**Argentina, Bolivia, Brazil, Canada, Cameroun, Central African Republic, Chad, Chile, Colombia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Ecuador, El Salvador, Federation of Malaya, Gabon, Greece, Guatemala, Haiti, Honduras, Italy, Ivory Coast, Japan, Laos, Madagascar, Nicaragua, Niger, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Thailand, Togo, Upper Volta, Uruguay and Venezuela: draft resolution**

[Original text: Spanish]  
[3 November 1960]

*The General Assembly,*

*Having regard* to the increase in the membership of the United Nations and to the functions of the Security Council,

*Considering* that, in order to give due regard to the contribution of Members of the United Nations which are not permanent members of the Security Council to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution, it is desirable to increase the number of non-permanent members of the Security Council,

1. *Adopts* the following amendments to the Charter and submits them for ratification to the Members of the United Nations:

(a) In Article 23 (1) of the Charter, the word “eleven” in the first sentence shall be replaced by the word “thirteen” and the word “six” in the third sentence by the word “eight”.

<sup>2</sup>Documents A/SPC/L.52/Add.1, dated 4 November 1960, A/SPC/L.52/Add.2, dated 7 November 1960, and A/SPC/L.52/Add.3 dated 8 November 1960, contained requests to add Cameroun, Canada, Central African Republic, Cyprus, Federation of Malaya, Greece, Italy, Japan, Laos, Pakistan, Philippines, Thailand and Togo to the list of sponsors of this draft resolution.

(b) In Article 23 the following new paragraph 3 shall be inserted, and the former paragraph 3 shall be renumbered 4:

“Of the two additional non-permanent members first elected after the entry into force of the amendment increasing the membership of the Security Council from eleven to thirteen, one shall be replaced at the first, and one at the second, regular election thereafter and their terms shall expire at the same times as those of the other non-permanent members replaced at those elections”;

(c) In Article 27 (2) of the Charter the word “seven” shall be replaced by the word “eight”;

(d) In Article 27 (3) the word “seven” shall be replaced by the word “eight”;

(e) These amendments shall be inoperative unless, within three years from the date of their adoption by the General Assembly, they are ratified as required by the Charter for entry into force;

2. *Urges* all Members of the United Nations to ratify the above amendments, in accordance with their respective constitutional processes, with the least possible delay;

3. *Decides* that the two non-permanent members of the Security Council shall be elected as soon as possible after the amendments have entered into force and, if necessary, to hold a special session of the General Assembly for that purpose.

## DOCUMENT A/SPC/L.53/REV.1

**Burma, Ceylon, Ghana, India and Iraq: revised draft resolution**

[Original text: English]  
[11 November 1960]

*The General Assembly,*

*Recognizing* that in view of the increase in the membership of the United Nations the membership of the Security Council and the Economic and Social Council should more truly reflect such increase and thus ensure more adequate and equitable distribution of seats in these principal organs of the United Nations,

*Recalling* its resolution 1404 (XIV) of 25 November 1959 which declared that, if progress is not made during the fifteenth session of the General Assembly towards the achievement of an increase in the membership of the Security Council and of the Economic and Social Coun-

cil, the Assembly should set up at that session a committee to study the possibilities of arriving at an agreement which will facilitate the amendment of the Charter to achieve such increase in membership,

*Noting* the overwhelming desire of all Member States for taking effective and appropriate steps for the attainment of this objective,

*Recognizing further* that under the Charter any amendments to it require ratification by two-thirds of the Members of the United Nations including all the permanent members of the Security Council,

1. *Recommends* that a committee composed of the United States of America, the United Kingdom, France, the Union of Soviet Socialist Republics, . . . be set up immediately for the purpose of finding a satisfactory solution to this pressing problem taking into account the views expressed in this connexion in the General Assembly;

2. *Expresses* the fervent hope that the said committee will find a solution and also recommend the proper means of implementing it;

3. *Requests* the committee to report to the sixteenth session of the General Assembly.

## DOCUMENT A/4626

### Report of the Special Political Committee

[Original text: English and Spanish]  
[7 December 1960]

1. The question of an increase in the membership of the Security Council and of the Economic and Social Council was placed on the provisional agenda of the fifteenth session of the General Assembly in accordance with paragraph 1 of resolution 1404 (XIV) of 25 November 1959. At the 898th plenary meeting on 10 October 1960, the General Assembly included the question in the agenda of the session, and at the 904th plenary meeting on 13 October allocated it to the Special Political Committee for consideration and report.

2. The Special Political Committee considered the question at its 186th to 199th meetings inclusive, held between 31 October and 14 November 1960, and again at its 214th to 219th meetings held between 30 November and 7 December.

3. At the 190th meeting on 3 November, two draft resolutions were introduced.

4. The first (A/SPC/L.51 and Add.1-5) relating to the membership of the Economic and Social Council was eventually co-sponsored by forty-six delegations: Argentina, Australia, Austria, Bolivia, Brazil, Cameroun, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Ecuador, El Salvador, Federation of Malaya, Gabon, Greece, Guatemala, Haiti, Honduras, Italy, Ivory Coast, Japan, Laos, Liberia, Madagascar, Netherlands, New Zealand, Nicaragua, Niger, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Somalia, Thailand, Togo, Tunisia, Upper Volta, Uruguay and Venezuela. At the 217th meeting on 5 December the representative of Liberia withdrew his co-sponsorship (A/SPC/L.51/Corr.1). The preamble to the draft resolution would have had the General Assembly have regard to the increase in the membership of the United Nations and to the functions of the Economic and Social Council, and consider that to ensure sufficiently broad participation in the work of that Council it was desirable to increase the number of its members. In the operative part, the Assembly was to adopt, and submit for ratification by the Members, amendments to Article 61 of the Charter increasing the membership of the Council to twenty-four, with eight members to be elected each year. It was to be provided further that the amendments should be inoperative unless, within three years from the date of their adoption, they were ratified as required by the Charter for entry into force. Finally, the Assembly was to urge all Members to ratify the amendments in accordance with their respective constitutional processes with the least possible delay, and to decide to fill the seats of the six additional members as soon as possible after the amendments had entered into force and, if necessary, to hold a special session of the General Assembly for that purpose.

5. The second draft resolution (A/SPC/L.52 and Add.1-3) relating to the membership of the Security Council was eventually co-sponsored by thirty-nine delegations: Argentina, Bolivia, Brazil, Cameroun, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Ecuador, El Salvador, Federation of Malaya, Gabon, Greece, Guatemala, Haiti, Honduras, Italy, Ivory Coast, Japan, Laos, Madagascar, Nicaragua, Niger, Pakistan, Panama, Paraguay, Peru, Philippines, Senegal, Thailand, Togo, Upper Volta, Uruguay and Venezuela. The preamble would have declared that the General Assembly, having regard to the increase in the membership of the United Nations and to the functions of the Security Council, considered it desirable to increase the number of non-permanent members of the Security Council in order to give due regard to the contribution to the maintenance of international peace and security and the other purposes of the Organization of Members of the United Nations not permanent members of the Security Council and to equitable geographical distribution. The operative paragraph would have had the Assembly adopt, and submit for ratification to the Members, amendments to Articles 23 and 27 of the Charter, to increase from eleven to thirteen the number of members of the Security Council and from six to eight the number of non-permanent members, and to increase from seven to eight the number of votes required for the adoption of decisions by the Council. The amendments were to be inoperative unless, within three years from the date of their adoption by the Assembly, they were ratified as required by the Charter for entry into force. Finally, the Assembly was to urge all Members to ratify the amendments in accordance with their respective constitutional processes with the least possible delay, and to decide that the two additional non-permanent members of the Security Council should be elected as soon as possible after the amendments had entered into force, and that, if necessary, it would hold a special session of the General Assembly for that purpose.

6. At the 197th meeting on 10 November, Burma, Ceylon, Ghana, India and Iraq submitted a draft resolution (A/SPC/L.53/Rev.1). The preamble would have had the General Assembly, *inter alia*, recall the provisions of resolution 1404 (XIV) and recognize that under the Charter any amendments required ratification by two-thirds of the Members including all the permanent members of the Security Council. The operative part would have had the Assembly: (1) recommend that a committee to include, *inter alia*, the United States of America, the United Kingdom, France and the Union of Soviet Socialist Republics be set up immediately for the purpose of finding a satisfactory solution taking into account the views expressed in that connexion in the

Assembly; (2) express the fervent hope that the said committee would find a solution and also recommend the proper means of implementing it; and (3) request the committee to report to the General Assembly at its sixteenth session.

7. At the 199th meeting on 14 November, the Committee agreed without objection to a motion by India under rule 117 of the rules of procedure to adjourn consideration of the item in order to allow time for efforts to harmonize the draft resolutions that had been presented.

8. When the Committee resumed consideration of this question at its 214th meeting on 30 November, it had before it an amendment (A/SPC/L.54 and Add.1) to the draft resolution relating to the Economic and Social Council (A/SPC/L.51 and Corr.1 and Add.1-5) and another (A/SPC/L.55 and Add.1) to the draft resolution relating to the Security Council (A/SPC/L.52 and Add.1-3).

9. The amendment (A/SPC/L.54 and Add.1) to the first draft resolution (A/SPC/L.51 and Add.1-5 and Corr.1) was co-sponsored by thirteen delegations: Cameroun, Ethiopia, Ghana, Guinea, Indonesia, Lebanon, Liberia, Nepal, Nigeria, Pakistan, Somalia, Togo and Tunisia. It would have inserted the words "Part A" before the first preambular paragraph, modified the third preambular paragraph to include the consideration that to ensure sufficiently broad participation in the work of the Economic and Social Council it was essential to ensure the equitable redistribution of existing seats and to increase the membership of the Council, and reduced from three to two years, in operative paragraph 1, the time-limit within which the amendments should be ratified by the Members. It would have added a new part B under which the Assembly was to decide that immediate steps should be taken for the redistribution of the existing seats in the Economic and Social Council, to be effective at the present session, so as to ensure equitable geographical distribution and, in particular, to reflect the increased membership of the United Nations.

10. The amendment (A/SPC/L.55 and Add.1) to the draft resolution relating to the Security Council (A/SPC/L.52 and Add.1-3) was co-sponsored by twelve delegations: Cameroun, Ethiopia, Ghana, Guinea, Indonesia, Lebanon, Liberia, Nepal, Nigeria, Pakistan, Somalia and Togo. It, too, called for: (1) insertion of the words "Part A" before the first preambular paragraph, (2) modification of the third preambular paragraph to include the consideration that to ensure sufficiently broad participation in the work of the Security Council it was essential to ensure the equitable redistribution of existing seats and to increase the membership of the Council, (3) reduction, in operative paragraph 1, from three to two years of the time-limit within which the amendments should be ratified by the Members, and (4) addition of a new part B under which the Assembly was to decide that immediate steps should be taken for the redistribution of the existing seats in the Security Council, to be effective at the present session, so as to ensure equitable geographical distribution and, in particular, to reflect the increased membership of the United Nations.

11. At the 215th meeting on 1 December, the Committee, by 45 votes to 3, with 30 abstentions, adopted a motion by the representative of Ireland under rule 119 of the rules of procedure to adjourn the meeting until the following afternoon in order to allow an opportunity for further efforts to produce a text which could command wider support. On a similar motion by the repre-

sentative of Pakistan, the 216th meeting on 2 December was also adjourned, by 34 votes to 8, with 34 abstentions.

12. At the 217th meeting on 5 December, the Committee began to vote on the draft resolutions and amendments before it, as follows:

The amendment (A/SPC/L.54 and Add.1) to the draft resolution (A/SPC/L.51 and Add.1-5 and Corr.1) was first voted on in parts.

The amendment to insert the words "Part A" before the preamble was adopted by 45 votes to 26, with 21 abstentions.

The amendment to the third preambular paragraph was adopted by a roll-call vote of 48 to 32, with 16 abstentions. The voting was as follows:

*In favour:* Afghanistan, Austria, Burma, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Dahomey, Denmark, Ethiopia, Federation of Malaya, Finland, Gabon, Ghana, Guinea, Iceland, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

*Against:* Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, France, Greece, Guatemala, Honduras, Italy, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Panama, Paraguay, Peru, Portugal, Spain, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

*Abstaining:* Albania, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Cyprus, Czechoslovakia, Haiti, Hungary, Israel, Norway, Poland, Romania, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

The amendment to operative sub-paragraph 1 (d) was adopted by 51 votes to 9, with 29 abstentions.

The amendment to insert the words "Part B" following operative paragraph 3 was adopted by 44 votes to 26, with 23 abstentions.

In a separate vote, the word "immediate" in part B was adopted by a roll-call vote of 49 to 43, with 4 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Czechoslovakia, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

*Against:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Greece, Guatemala, Haiti, Honduras, Iceland, Ireland, Italy, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Spain, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

*Abstaining:* Cuba, Cyprus, Israel, Thailand.

In a separate vote, the words "to be effective at this session" in part B were adopted by a roll-call vote of 49 to 43, with 4 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Czechoslovakia, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

*Against:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Greece, Guatemala, Haiti, Honduras, Iceland, Ireland, Italy, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Spain, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

*Abstaining:* Cuba, Cyprus, Israel, Thailand.

Part B as a whole was adopted by 37 votes to 35, with 20 abstentions.

The Committee then proceeded to vote by division on the draft resolution (A/SPC/L.51 and Add.1-5 and Corr.1) as amended.

The preamble of part A, as amended, was voted upon separately, and was adopted by 47 votes to 41, with 5 abstentions.

The operative part of part A, as amended, was adopted by a roll-call vote of 76 to 19, with 1 abstention. The voting was as follows:

*In favour:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Cambodia, Cameroun, Canada, Central African Republic, Chad, Chile, China, Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Union of South Africa, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela, Yemen, Yugoslavia.

*Against:* Afghanistan, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Colombia, Czechoslovakia, Hungary, India, Iraq, Luxembourg, Mexico, Nicaragua, Panama, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay.

*Abstaining:* Cuba.

The draft resolution as a whole, as amended, was rejected by a roll-call vote of 41 to 38, with 17 abstentions. The voting was as follows:

*In favour:* Burma, Cambodia, Cameroun, Central African Republic, Chad, Cyprus, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, Indo-

nesia, Iran, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Thailand, Togo, Tunisia, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

*Against:* Albania, Argentina, Australia, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Costa Rica, Czechoslovakia, Dominican Republic, Ecuador, El Salvador, France, Greece, Guatemala, Haiti, Honduras, Hungary, Italy, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Spain, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

*Abstaining:* Afghanistan, Austria, Ceylon, China, Cuba, Denmark, Finland, Iceland, India, Iraq, Ireland, Israel, Japan, Norway, Sweden, Turkey, United States of America.

13. At the 218th meeting on 6 December, the Committee continued voting on the draft resolutions and amendments before it, as follows:

The amendment (A/SPC/L.55 and Add.1) to the draft resolution (A/SPC/L.52 and Add.1-3) was first voted upon in parts.

The first amendment to insert the words "Part A" before the preamble and the amendment to the third preambular paragraph were voted upon jointly and were adopted by 44 votes to 32, with 16 abstentions.

The amendment to operative sub-paragraph 1 (e) was adopted by 48 votes to 3, with 41 abstentions.

In a separate vote, the words "immediate" and "to be effective at this session" in part B were adopted by a roll-call vote of 49 to 42, with 5 abstentions, as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Czechoslovakia, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

*Against:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Greece, Guatemala, Honduras, Iceland, Ireland, Italy, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Spain, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

*Abstaining:* Cuba, Cyprus, Haiti, Israel, Thailand.

Part B of the amendment, as a whole, was adopted by a roll-call vote of 40 to 37, with 19 abstentions, as follows:

*In favour:* Afghanistan, Burma, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan,

Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

*Against:* Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Greece, Guatemala, Honduras, Iceland, Italy, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Spain, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

*Abstaining:* Albania, Austria, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, Cyprus, Czechoslovakia, Haiti, Hungary, Ireland, Israel, Japan, Poland, Romania, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

The Committee then proceeded to vote on the resolution (A/SPC/L.52 and Add.1-3) as amended.

In a separate vote, the words "thirteen" and "eight" in operative sub-paragraph 1 (a) were adopted by a roll-call vote of 42 to 32, with 21 abstentions, as follows:

*In favour:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, France, Greece, Guatemala, Haiti, Honduras, Iceland, Ireland, Italy, Japan, Jordan, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

*Against:* Afghanistan, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroun, Central African Republic, Ceylon, Chad, Colombia, Czechoslovakia, Dahomey, Gabon, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Ivory Coast, Luxembourg, Nepal, Nigeria, Poland, Romania, Senegal, Somalia, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yugoslavia.

*Abstaining:* Burma, Cambodia, Congo (Brazzaville), Cuba, Ethiopia, Federation of Malaya, Finland, Iran, Israel, Liberia, Libya, Madagascar, Mali, Mexico, Morocco, Niger, Pakistan, Panama, Sudan, Uruguay, Yemen.

The operative paragraphs of part A as a whole, as amended, were adopted by 73 votes to 14, with 6 abstentions.

The draft resolution as a whole, as amended, was rejected by a roll-call vote of 42 to 36, with 17 abstentions, as follows:

*In favour:* Burma, Cambodia, Cameroun, Central African Republic, Chad, Congo (Brazzaville), Cyprus, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, Indonesia, Iran, Ivory Coast, Jordan, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Thailand, Tunisia, United Arab Republic, Upper Volta, Yemen.

*Against:* Albania, Argentina, Australia, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Costa Rica, Czechoslovakia, Dominican Republic, Ecuador, El Salvador, Greece, Guatemala, Haiti, Honduras, Hungary, Italy, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Spain, 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, Uruguay, Venezuela, Yugoslavia.

*Abstaining:* Afghanistan, Austria, Ceylon, China, Cuba, Denmark, Finland, France, Iceland, India, Iraq, Ireland, Israel, Japan, Norway, Sweden, Turkey.

14. At the 219th meeting on 7 December, the representative of India, on behalf of his own delegation and the delegations of Burma, Ceylon, Ghana, and Iraq, withdrew the draft resolution (A/SPC/L.53/Rev.1) which they had sponsored jointly.

15. The Committee, therefore, has no recommendation to make to the General Assembly on the present agenda item.

### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 960th plenary meeting on 20 December 1960, the General Assembly took note of the report of the Special Political Committee (A/4626).

### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 23 which are not reproduced in the present fascicle.

Document No.	Title	Observations and references
A/SPC/L.53	Burma, Ceylon, Ghana, India and Iraq: draft resolution	See A/SPC/L.53/Rev.1
A/SPC/L.54 and Add.1	Cameroun, Ethiopia, Ghana, Guinea, Indonesia, Lebanon, Liberia, Nepal, Nigeria, Pakistan, Somalia, Togo and Tunisia: amendment to draft resolution A/SPC/L.51	See A/4626, para. 9
A/SPC/L.55 and Add.1	Cameroun, Ethiopia, Ghana, Guinea, Indonesia, Lebanon, Liberia, Nepal, Nigeria, Pakistan, Somalia and Togo: amendment to draft resolution A/SPC/L.52	<i>Ibid.</i> , para. 10



**Agenda item 24: Report of the United Nations Scientific Committee on the Effects of Atomic Radiation\***

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Part I, Special Political Committee, 223rd meeting; ibid., Fifth Committee, 823rd meeting and ibid., Plenary Meetings, 960th meeting.*

**DOCUMENT A/4528**

**Annual progress report of the United Nations Scientific Committee on the Effects of Atomic Radiation for 1960**

[Original text: English]  
[4 October 1960]

1. The United Nations Scientific Committee on the Effects of Atomic Radiation was established by resolution 913 (X) of 3 December 1955 at the tenth session of the General Assembly; its work was continued by resolutions 1147 (XII) of 14 November 1957, 1347 (XIII) of 13 December 1958 and 1376 (XIV) of 17 November 1959 at the twelfth, thirteenth and fourteenth sessions, respectively. It has the following members: Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Japan, Mexico, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Seventh session*

2. The Committee held its seventh session at Headquarters from 11 January to 22 January 1960. Professor Rolf Sievert of Sweden served as Chairman, and Dr. E. E. Pochin of the United Kingdom was elected to serve as Vice-Chairman *ad interim* in the absence of Dr. V. R. Khanolkar of India.

3. At this session, the Committee considered the following topics: General Assembly resolution 1376 (XIV); certain technical questions, including the meteorological and physical aspects of fall-out, food chain problems, low-dose dose-effect relations; plans of discussion of genetic and C<sup>14</sup> (carbon-14) problems at the eighth session. It also reviewed the plans for the joint

United Nations/World Health Organization (WHO) Seminar on Use of Vital and Health Statistics for Genetic and Radiation Studies held in Geneva, from 5 to 9 September 1960, and the time and place of the eighth session.

4. In response to a suggestion made by the Committee at its sixth session (A/4119, annex I, para. 2), the World Meteorological Organization (WMO) arranged for a group of experts from eight countries to attend the seventh session of the Committee and to participate in its discussions of problems relating to fall-out mechanism. In the course of these discussions, the group delivered a set of some twenty valuable presentations covering topics in meteorology and fall-out. A resolution expressing the Committee's deep appreciation to WMO and to the individual experts for the assistance they had given the Committee during the session was adopted unanimously.

5. In response to a further suggestion of the Committee (A/4119, annex I, para. 3), its discussion of food-chain problems at the seventh session was materially assisted by a report prepared by an expert group of FAO and by the presence and contribution to the discussion of the rapporteur of that group as part of the FAO representation. A resolution expressing the Committee's gratitude to FAO for the report of its Expert Group on Radioactive Materials in Food and Agriculture and for its assistance to the Committee during the session was adopted unanimously.

6. In response to sections II, III and V of General Assembly resolution 1376 (XIV), the Committee gave preliminary consideration and study, in consultation with appropriate specialized agencies and the International Atomic Energy Agency (IAEA), to appropriate arrangements for stimulating the flow of information and data and encouraging genetic, biological and other studies. The Committee decided to set up two sub-groups respectively to develop further the relevant physical and biological topics, and to prepare material for its further consideration at the eighth session. These sub-groups met during the seventh session of the Committee; one of them later met at the European Headquarters of the United Nations in Geneva, from 14 to 17 September 1960; both sub-groups met in Geneva during the period of the eighth session of the Committee.

7. In consequence of its consideration of sections II and III of General Assembly resolution 1376 (XIV), the Committee requested its Secretary to address a letter to States Members of the United Nations and members of the specialized agencies, expressing the wish of the Committee to continue the flow of information relevant to its work and drawing the attention of Member States to certain specific problems. In response to this request, the Secretary of the Committee addressed a letter, dated 7 April 1960, to States Members of the United Nations and members of the specialized agencies, expressing the wish of the Committee and suggesting means whereby this might be accomplished. Listed in annex I of the letter were the countries and organizations offering assistance in the field of sampling and analysis of radioactive material. Annex I was later revised to include additional offers received up to 31 August 1960. Attached as annex II to the letter was a statement prepared by the Committee at its seventh session, suggesting ways and means whereby its requests for relevant information could best be channelled, in the respective countries, to the appropriate national scientific organizations and committees, as well as to individual scientists.

8. At this session, Dr. Manuel Martínez Báez of Mexico was elected Chairman, and Dr. F. Hercik of Czechoslovakia Vice-Chairman, for the eighth and ninth sessions.

#### *United Nations/WHO Seminar*

9. In response to a suggestion by the Committee (A/4119, annex I, para. 5), the United Nations and WHO co-sponsored a Seminar on Use of Vital and Health Statistics for Genetic and Radiation Studies, which was held from 5 to 9 September 1960 in Geneva. At this Seminar, twenty-one papers were presented and discussed, and much useful information was exchanged between geneticists, epidemiologists, vital and health statisticians and civil registrars, on the future potentialities of vital and health statistics and civil registration procedures as a source of data in genetic and other studies, particularly in relation to the assessment of the effects of radiation in human populations, and on possible practical means for overcoming present limitations. The topics covered by the Seminar included: statement of the problem; present sources of information; current potentialities; radiation exposure and somatic effects; morbidity surveys; genetic surveys in selected populations; uses of routinely collected information for genetic use; information storage,

retrieval and processing; biometrical genetics. The proceedings of the Seminar will be published.

#### *Eighth session*

10. The Committee held its eighth session at the European Headquarters of the United Nations in Geneva from 19 to 30 September 1960. Dr. Manuel Martínez Báez of Mexico served as Chairman, and Dr. F. Hercik of Czechoslovakia served as Vice-Chairman.

11. At this session, the Committee discussed genetic problems,  $C^{14}$ , fall-out and associated subjects, and dose calculations; laid plans for its 1962 comprehensive report to the General Assembly; further considered and studied, on the basis of reports by its sub-groups, certain arrangements as requested by the General Assembly in sections II, III and V of resolution 1376 (XIV), and prepared its annual progress report for 1960.

12. The Committee unanimously adopted a report, called for in section V of General Assembly resolution 1376 (XIV), on its study of appropriate arrangements for stimulating the flow of information and data, and for encouraging genetic, biological and other studies, including those concerned with  $C^{14}$ , that will elucidate the effects of radiation exposure on the health of human populations. This document is appended to the present report as annex I.

13. The Committee noted with satisfaction the work done by the participants in the Seminar on Use of Vital and Health Statistics for Genetic and Radiation Studies. It strongly supported their Consensus of Opinion which it appends as annex II. The Committee was pleased to note that, in several countries, co-operation already exists between the official authorities concerned with registration of vital events and with the collection of vital and health statistics on one side, and the students of human genetics and radiation epidemiology on the other. It expressed the hope that this co-operation will give a lead to similar co-operation in an increasing number of countries. It also endorsed the value, in certain cases, of regional co-operative arrangements whereby more significant information might be achieved, and expressed the opinion that both the Statistical Office of the United Nations and the epidemiological branch of WHO should play the fullest possible part in assisting nations to undertake such programmes of survey and information retrieval, and in standardizing, co-ordinating and collating results. The Committee expressed its thanks to WHO for its co-sponsorship and to those Member States and their instrumentalities whose support and co-operation made the Seminar possible.

14. The Committee decided to request that it might hold its ninth session at the European Office of the United Nations from 13 to 24 March 1961, and its tenth session at United Nations Headquarters, New York, from 4 September to 15 September 1961, or, if the needs of its work should so require, from 28 August to 15 September 1961.

#### *Contractual study*

15. Following the approval of the Committee's proposed programme by the General Assembly in resolution 1376 (XIV), and the associated financial provision, a Special Service Agreement was drawn up be-

tween the United Nations and the International Commissions on Radiological Protection and on Radiological Units and Measurements. Under this Agreement, the Commissions were to study the methods of evaluation of the exposure of man to ionizing radiation resulting from medical procedures, with special reference to radiation-induced diseases. Accordingly, an *ad hoc* Joint Study Group of these commissions met at United Nations Headquarters, New York, from 25 to 29 January 1960, and in Stockholm, from 1 to 9 July 1960. A report on the deliberations and conclusions of the International Commissions is to be submitted to the Scientific Committee by the end of 1960.

### *Flow of information*

16. The Committee has a continuing interest in the somatic effects of radiation, and expressed its appreciation to IAEA for its part in the organization of the recent Conference on the Relation of Radiation Damage to Radiation Dose in Bone.

17. The Committee has received and hopes to continue to receive information on radioactive contamination, radiation levels and radiobiological questions from States Members of the United Nations and members of the specialized agencies, and from the specialized agencies, IAEA and the International Commissions on Radiological Protection and on Radiological Units and Measurements. During the period from 15 June 1959 to 1 September 1960, the Committee received some 200 reports from States Members of the United Nations or members of the specialized agencies, and from specialized agencies and the IAEA.

### *Further reports*

18. The Committee intends to submit annual progress reports to the General Assembly, to report to the Assembly on each phase of its scientific work separately, as it is completed, and to submit a further comprehensive report during or before 1962.

### *Staff and consultant services*

19. The Committee compared the greatly increased volume, scope and specialization of the information it is receiving in preparation for its next comprehensive report with that available to it in 1958 for the previous one. It expressed the opinion that the preliminary stages of summarization and collation probably could not be handled by a scientific staff of the same size as previously. The Committee decided to draw the attention of the Secretary-General to this temporary situation and request him, as in the past, to make appropriate flexible and *ad hoc* arrangements by means of additional staff or consultants. In the Committee's view, these should not need to exceed a total of about one and a half man years of scientific effort in all.

## ANNEX I

### REPORT TO THE GENERAL ASSEMBLY PREPARED IN RESPONSE TO RESOLUTION 1376 (XIV)

1. Under General Assembly resolution 1376 (XIV), the United Nations Scientific Committee on the Effects of Atomic Radiation has been requested to consider and study appropriate arrangements for stimulating the flow of information and data relative to the effects of radiation on man and his environment, and to consider and study more effective arrangements

for encouraging genetic, biological and other studies, including those concerned with C<sup>14</sup>, that will elucidate the effects of radiation exposure on the health of human populations.

2. The major flow of material to the Committee thus far has come from a relatively few nations. It has been predominantly informative as to radiation and radioactive contamination levels, less with regard to epidemiological and other biological aspects. The Committee has reviewed these scientific data and literature and has made available its findings. However, the Committee has not received from all Member States the same amount of assistance implicit in the selection and submission of data that it judges relevant to its field of work. The Committee is anxious to receive a continuing and increasing flow of facts of physical and bio-medical import both from those Member States who are represented on the Committee and from those who are not, and it considers it to that effect desirable that, when appropriate, the Committee avail itself more actively of the experience of the latter in its scientific deliberations as a working group.

3. The Committee will continue to work closely with interested United Nations agencies and certain other groups, whose scientific meetings and studies have already been of great assistance to the Committee, and hopes that Member States will also co-operate with these organizations, in addition to continuing to send relevant data directly to the Committee.

4. During its seventh session the Committee decided that one of the most immediate problems was to obtain further data on environmental contamination from areas not covered by previous surveys. On 7 April 1960 a letter was therefore addressed to all Member States, outlining the type of data required from certain areas of the globe. Reference was made in this and a subsequent letter to offers by Member States and IAEA to analyse samples for countries which lack the necessary facilities.

5. During its eighth session, the Committee reviewed the available data on radiation exposure. Their principal conclusions relevant to this aspect of the report are noted in paragraphs 6-10 below.

6. *Natural activity:* Measurements of natural radiation are of particular importance since not only is this at the present time the major radiation source to which the world population is exposed, but also, especially considering the known variations in the natural radiation levels, it is a valuable basis with which the magnitude of artificial radiation sources can be compared. The components of the natural radiation dose for which additional data are needed both on a regional and on a world-wide basis are those delivered by gamma radiation from the earth's surface and by alpha emitters in bone. The stimulation of research on these aspects is particularly important.

7. *Environmental contamination from nuclear tests:* Environmental contamination from nuclear tests, as in the past, has continued to occupy the centre of attention of the Committee, since radiation from this source involves the whole population of the world. The Committee has reviewed the data that are now available on fall-out from nuclear tests. Considerable additional information on the basic patterns of contamination from fall-out and C<sup>14</sup> has been obtained recently. While the Committee is anxious to obtain more precise information on many aspects, it is none the less apparent that certain of the parameters, such as the rates and amounts of deposition, are known with an accuracy sufficient for the estimation of some components of the tissue doses from fall-out. The Committee has considered the accuracy with which the present average dose to bone and gonads can be assessed. This assessment depends primarily on direct measurement of strontium-90 in human bone and caesium-137 in the body, but this must be supplemented, particularly for the purposes of future prediction, by measurements of levels in diet and the food chain. The Committee regrets the scantiness of data from several large and heavily populated areas. It recognizes that the obtaining of improved information has been largely limited by the inadequacy of information on the composition and origin of diets; this information is necessary both for designing adequate sampling programmes and for the interpretation of results. In this connexion, dietary information assembled by FAO has been of considerable assistance to the Committee.

8. *Environmental contamination from radioactive wastes:* Much valuable study has already been undertaken by governmental agencies and international organizations on various problems in the disposal of radioactive wastes. The exposure of the population of the world from this source over the next several decades is difficult to estimate because of the lack of information both as to disposal policy and the fraction of fission wastes which might be used in industrial processes. We can expect that technical progress should enable human exposure from this source to be more readily controlled. The Committee wishes to continue to receive information on all significant releases of radioactive waste into the environment. It notes that relevant information is also received from Member States by the IAEA and other United Nations agencies, and that these organizations constitute an appropriate channel for transmission of it to the Committee. The Committee attaches importance to detailed studies of the behaviour of artificial radioactive materials in the environment. Information obtained in this way is necessary for improving estimates of exposure of mankind from possible future releases of radioactivity.

9. *Medical exposures:* As in the past, the Committee will continue to give considerable attention to medical exposures for two reasons: firstly, the exposure is considerable in some countries and, secondly, persons exposed for medical reasons may provide a group of particular interest for subsequent study of dose-effect relationships. For the latter purpose, the importance of adequate control and recording is apparent and there is room for improvement in this respect in many countries. In this connexion, and at the request of the Committee, the International Commission on Radiological Protection and the International Commission on Radiological Units and measurements are conducting such studies on medical exposures.

10. *Occupational exposure:* The radiation dose resulting from occupational exposure is sufficiently well documented for the assessment of population dose from this source. It contributes at present only a small fraction of the total dose to the population in technologically advanced countries.

11. During the past sixty years, and especially during the last few of them, much has been learned of the biological effects of radiation by experiments on living organisms and their parts and by observations on human beings exposed by accident or treated by design. This active and diverse research has divulged valuable basic understanding of how ionizing radiation exerts its effects and much information of semi-quantitative predictive value, especially relating to gross effects resulting from high doses. But the considerations and predictions needful to sound and confident action of all kinds in the nuclear era have progressively embraced lower doses and dose rates, and effects progressively more and more delayed—including those upon subsequent generations—and more and more refined in nature: at the same time, both the numbers of people potentially affected, and the administrative and legal needs of precision have increased. Physical data has improved rapidly allowing a continually greater accuracy in the estimate of tissue dose. Because of the inherent variability of biological material, comparable precision of information probably cannot be obtained in the biological sphere, but a closer appreciation of dose-effect relationships can and should be evolved.

12. Ideally, there is no substitute in prediction for sound quantitative observations relevant to man as he lives, complemented though this must be by understanding based upon a wide variety of observations in cellular, mammalian and other areas of radiobiology. Much information can come only from the slow and painstaking collection of information about irradiated and other groups of persons. In considering radiation research at its present phase, the Committee has therefore accorded such activity a very high priority.

13. Essential to evaluation of any study of radiation effect on population is the collection of relevant biological information concerning that population. Such information ranges from relatively simple indices of the genetic health or structure of the population at large to the rates of incidence, in comparable exposed and unexposed groups, of diseases such as leukemia, skin cancer, or cataract which can possibly be radiation-induced. Governments and their statistical and epidemiological

agencies are peculiarly well-placed to advance such work, which could perhaps, in some areas, profitably be the subject of regional co-operation and standardization. The Committee hopes that the proceedings of the joint United Nations/WHO Seminar on Use of Vital and Health Statistics for Genetic and Radiation Studies will assist such developments. It particularly draws the attention of the General Assembly to the joint and considered opinion of the experts who attended the Seminar, as reviewed by the Committee and appended to its report as annex II. It notes that countries having large populations living in areas of high natural radiation may have special opportunities for profitable studies.<sup>a</sup> The Committee notes with satisfaction that WHO is willing and able to be of much assistance in connexion with surveys of comparable exposed and unexposed groups and is, indeed, actively engaged in studying the feasibility of projects of this kind, such as the possibilities which might exist among groups exposed to radiation occupationally or for medical purposes.

14. The Committee notes that information collected by various national authorities becomes more valuable when it is collated with corresponding material from other countries. It therefore hopes that all national authorities engaged in such studies will make available their results and will gather them according to standards of procedure and practice which make them comparable with those of other countries.

15. In respect of both hereditary and other diseases, there is much to be done, even in the technologically most advanced countries, by way of standardizing nomenclature and of improving diagnosis and recording and handling of information. A concrete suggestion which has been made concerns appropriate expansion and modification of the International Classification of Causes of Death in so far as these relate to genetic or radiation-inducible conditions. It is relatively simple to obtain certain measures of the genetic health of a population, of its genetic structure and progression, and even to obtain some information about mutation, from vital and health statistics, but only if these are of an adequate standard of accuracy and appropriately collected and arranged.

16. Many of the biological experiments essential to permit more accurate evaluation of physical data in terms of effects on man, particularly those urgently needed in the low dose and genetic fields, are costly in trained workers and materials. The Committee therefore urges that when extensive and long-range biological research programmes are to be undertaken the Committee be informed, so that it can know where it may look for results in given fields and also can help to avoid unnecessary expenditure of effort. As far as the information on human populations is concerned, the Committee wishes to emphasize the value of such exchanges of views as are mentioned in paragraph 6 of annex II.

17. Many other problems require to be worked out, including biological measures of dose, techniques for reducing the severity of the effects of radiation exposures, the possible localized effects of transmutations, such as those of C<sup>14</sup>, and in general a fuller understanding of mechanism of radiation effects at all levels—all endeavours in which new advanced techniques and knowledge are rapidly being applied and which require survey and experimentation of a great diversity of scale and kind. The Committee hopes that Member States will continue this research and will make the results available for the benefit of all.

18. The Committee notes that many Members of the United Nations have considerable anxiety concerning ionizing radiation. It draws attention to the fact that among the proper corollaries of such anxiety is the participation in the gathering and dissemination of the required data, so that the accuracy of the assessment of radiation from all sources can be improved.

19. The Committee reiterates the view that progress in the solution of biological problems of the effects of ionizing radiation can be made, but both sustained effort and time—measured in several decades—will be needed. It is aware that, in this nuclear age, much depends upon mutual confidence and upon

<sup>a</sup> In this connexion, the Committee draws attention to the views of the WHO Expert Committee on the Effect of Radiation on Human Heredity: Investigations of high natural radiation (WHO, *Technical Report Series* No. 166).

a communal advance of knowledge in which each member of the international community carries to the full its share of effort, aided by the appropriate inter-governmental agencies.

20. The Committee is conscious of its position in the United Nations family as the central forum for discussion of these questions with the active co-operation of the United Nations agencies. It has repeatedly found that when a scientific problem is attacked by an appropriate group of experts, co-operation, progress and good working relations come to exist with a minimum of formal co-ordination.

## ANNEX II

### CONSENSUS OF OPINION OF THE EXPERTS PARTICIPATING IN THE UNITED NATIONS/WHO SEMINAR ON USE OF VITAL AND HEALTH STATISTICS FOR GENETIC AND RADIATION STUDIES

1. The participants in the Seminar on Use of Vital and Health Statistics for Genetic and Radiation Studies have conducted a general and detailed examination of the current adequacy and future potentialities of civil registration procedures, as well as of vital and health statistics as a source of data in studies of genetics and of the effects of radiation in human populations. They have considered practical suggestions for overcoming present limitations, so as to meet, in particular, the critical needs of human geneticists and radiation epidemiologists.

2. The participants note with satisfaction that co-operation between the official authorities concerned with registration of vital events and with the collection of vital and health statistics, on one side, and the students of human genetics and radiation epidemiology, on the other, has already been initiated in several countries and that closer contacts between them are to be expected in the future.

3. In the conviction that we are entering an era in which knowledge of the genetic endowments of human individuals and populations will lead to new insights into the health and well-being of mankind, it is suggested that contacts between biological scientists and vital and health statisticians be maintained and expanded and that full advantage be taken of this co-operation through frequent and continuing consultations between authorities concerned with the statistics of civil registrations and biologists on matters of common interest.

4. The participants are aware of the fact that a large part of the duties of civil registration authorities is of a legal and administrative nature and that the procedures for the collection of vital statistical information were not, and cannot be, merely designed to meet the needs of human biologists, but they are also acutely aware of the fact that any progress in human biological sciences can have wide repercussions in other disciplines, like demography, whose import for the social and economic welfare of the population is well known.

5. Progress towards meeting the needs of human biologists may take the form of altering existing procedures which should, of course, be assessed in a context of local situations. They can, however, often be achieved through rather simple means, without drastically changing established systems. A variety of measures will be found useful to that effect and some of them can be outlined in very broad terms:

(a) Supplementing the information available on routine records by linkage with other records relating to the same individual;

(b) Reconstruction of segments of biological families through record linkage so as to permit longitudinal studies over a number of generations;

(c) Recording of such items of information as are required to identify consanguineous marriages, in order to make pos-

sible the assessment of their effects on the survival, health and growth of offspring;

(d) Setting up partial or complete registers of population groups of genetic and medical interest such as twins, people suffering from hereditary diseases, congenital malformations, malignancies;

(e) Introduction into vital and health statistics programmes of additional items of information required for analysis or linkage as well as special tabulations as may be needed;

(f) Better and more extensive exploitation of data useful to assess fertility patterns and differentials;

(g) Facilitating the estimation of doses delivered to patients during medical X-ray work, for example by keeping in X-ray departments appropriate records of normal practices, types of equipment, etc.;

(h) Improvement of basic quality of data by such means as are appropriate, including removal of ambiguities in terminology and in the structure of the questions, querying imprecise replies, making the certifying physicians and other informants more aware of their responsibilities;

(i) Developing a list of pathological conditions of genetic significance which could usefully supplement the International Classification of Diseases;

(j) Taking such initiative as may be necessary to ease the limitations to the accessibility of the records for research purposes.

6. However simple, many of the developments which can be envisaged will require thoughtful consideration before being adopted. The import of some of the results which can be anticipated will be mainly limited to the country in which they will be obtained and therefore parallel studies are not to be discouraged. There may, however, also be investigations of a general validity and for some of these, in view of their cost, possible duplication should be avoided. It is therefore felt to be useful that the discussions initiated at the Seminar be continued not only within the various countries but also, on a restricted scale, at the international level under the aegis of the sponsoring organizations, so as to advise administrations and research workers of current developments in different countries, and so enable them to co-ordinate such activities, with a view to making the best possible use of available resources.

7. The present state of development of human biology requires flexibility of approach, and the contribution of vital and health statistics to genetic and radiation studies will have to be judged on results which may not emerge immediately. Some of the possible approaches will prove more fruitful than others, but increasing knowledge in these fields is bound to be of the greatest social benefit.

## ANNEX III

### FINANCIAL IMPLICATIONS

1. At the time of adoption of the decisions recorded in paragraph 14 of the present report, the Committee was informed that the holding of its ninth session at the European Office of the United Nations would require an additional expenditure approximating \$5,800, but that the precise figure would depend on the detailed pattern of conferences; while the extension of its tenth session by one week, should this become necessary, would cost \$2,625.

2. At the time of adoption of the decision recorded in paragraph 19 of the present report, the Committee was informed that consultant services amounting to one and a half man-years of scientific effort would require an additional expenditure of \$15,000.

## DOCUMENT A/4659

### Report of the Special Political Committee

[Original text: English and Spanish]  
[16 December 1960]

1. The annual progress report of the United Nations Scientific Committee on the Effects of Atomic Radia-

tion for 1960 (A/4528) was placed on the provisional agenda of the fifteenth session of the General Assembly

in accordance with section V of resolution 1376 (XIV) of 17 November 1959. At the 898th plenary meeting on 10 October 1960, the General Assembly included the question in the agenda of the session, and at the 904th plenary meeting on 13 October allocated it to the Special Political Committee for consideration and report.

2. The Special Political Committee considered the question at its 223rd meeting on 15 December 1960.

3. At the same meeting, Canada submitted a draft resolution (A/SPC/L.56) which was replaced, later at the meeting, by a revised draft resolution (A/SPC/L.56/Rev.1) sponsored jointly by Canada and Czechoslovakia. The revision consisted of substituting for the original draft of the last operative paragraph reading "*Notes with approval* the Committee's proposals concerning its plan of work for 1961", a new draft reading "*Notes with approval*, in particular, the Committee's proposals contained in paragraphs 14 and 19 which carry financial implications additional to those for which arrangements have already been made".

4. The permanent representative of the Director-General of the IAEA, at his request, was invited to make a statement to the Committee in connexion with the question.

5. The Secretary of the Scientific Committee on the Effects of Atomic Radiation made a statement in connexion with the financial implications indicated in annex III of the Scientific Committee's report.

6. The revised joint draft resolution (A/SPC/L.56/Rev.1) was adopted unanimously.

### ***Recommendation of the Special Political Committee***

7. The Special Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

## **DOCUMENT A/4671**

### **Financial implications of the draft resolution recommended by the Special Political Committee (A/4659). Report of the Fifth Committee**

*[Original text: English]  
[19 December 1960]*

1. Under the provisions of rule 154 of the rules of procedure of the General Assembly, and on the basis of a report by the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions (A/C.5/855), the Fifth Committee, at its 823rd meeting, considered the financial implications of the draft resolution (A/4659, paragraph 7) recommended by the Special Political Committee.

2. The Fifth Committee decided, by 51 votes to none, with 1 abstention, to inform the General Assembly that the adoption of the draft resolution recommended by the Special Political Committee would give rise to additional costs in 1961 in an amount of \$24,950.

## **DOCUMENT A/C.5/855**

### **Financial implications of the draft resolution submitted by the Special Political Committee in document A/4659: note by the Secretary-General**

*[Original text: English]  
[16 December 1960]*

1. The Special Political Committee at its 223rd meeting adopted a draft resolution (A/4659, para. 7) under which the proposals made by the United Nations Scientific Committee on the Effects of Atomic Radiation in its annual report (A/4528) would be approved by the General Assembly.

2. At the time the Scientific Committee formulated its programme, the financial implications of the Committee's proposals were notified to it as recorded in annex III of A/4528. Subsequent changes in arrangements led to a revision in those estimates, of which the Special Political Committee was informed as follows:

	<i>US dollars</i>
(a) Costs related to holding the ninth session of the Committee at Geneva rather than at Headquarters (\$5,800 for travel of Headquarters staff and \$1,000 for temporary assistance) .....	6,800
(b) Costs of extension of the Committee's tenth session at Headquarters by one week .....	3,150
(c) Costs for consultant services (one and one-half man-years) .....	15,000

3. Adoption of the draft resolution, therefore, would necessitate the provision of additional appropriations for 1961 totalling \$24,950, as follows:

	<i>US dollars</i>
Section 1 .....	3,150
Section 2 .....	16,000
Section 3 .....	5,800

4. The Advisory Committee on Administrative and Budgetary Questions has concurred in the conclusion in paragraph 3 above.

### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 960th plenary meeting, on 20 December 1960, the General Assembly adopted the draft resolution submitted by the Special Political Committee (A/4659, para. 7). For the final text, see resolution 1574 (XV) below.

#### Resolution adopted by the General Assembly

1574 (XV). REPORT OF THE UNITED NATIONS SCIENTIFIC COMMITTEE ON THE EFFECTS OF ATOMIC RADIATION

*The General Assembly,*

*Recalling* its resolution 1376 (XIV) of 17 November 1959,

*Noting with appreciation* the co-operation which the Scientific Committee on the Effects of Atomic Radiation continues to receive in its work from Member States, specialized agencies, the International Atomic Energy Agency, international non-governmental and national scientific organizations, and individual scientists,

1. *Takes note* of the annual progress report (A/4528) of the Scientific Committee on the Effects of Atomic Radiation for 1960;

2. *Welcomes* the report (A/4528, annex I) prepared by the Committee in response to General Assembly resolution 1376 (XIV);

3. *Notes with approval*, in particular, the Committee's proposals contained in paragraphs 14 and 19 of its annual report, which carry financial implications additional to those for which arrangements have already been made.

*960th plenary meeting,  
20 December 1960.*

### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 24 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/SPC/L.56	Canada: draft resolution	Replaced by A/SPC/L.56/Rev.1. See document A/4659, para. 7
A/SPC/L.56/Rev.1	Canada and Czechoslovakia: revised draft resolution	Adopted without change. See document A/4659, paras. 6 and 7

United Nations  
**GENERAL  
ASSEMBLY**

Official Records



Agenda item 25

**ANNEXES**

**FIFTEENTH SESSION**

NEW YORK, 1960-1961

**Agenda item 25: Final report of the Secretary-General evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future\***

**C O N T E N T S**

Document No.	Title	Page
A/4391 and Add.1	Final report of the Secretary-General evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future	1
A/4751	Report of the Special Political Committee	3
Action taken by the General Assembly		3
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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Special Political Committee*, 259th meeting; and *ibid.*, *Plenary Meetings*, 995th meeting.

**DOCUMENTS A/4391 AND ADD.1**

**Final report of the Secretary-General evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future**

**Document A/4391**

[Original text: English]  
[5 July 1960]

1. In resolution 1344 (XIII) of 13 December 1958, the General Assembly requested the Secretary-General and the United Nations Scientific Advisory Committee, in consultation with the International Atomic Energy Agency (IAEA) and the interested specialized agencies "to undertake a thorough evaluation of the Second Conference in relation to the need, nature and timing of similar conferences in this field". The Assembly requested the Secretary-General to submit an interim report to the Assembly at its fourteenth session and to report to the fifteenth session on the results of the study made by the Scientific Advisory Committee.

2. The Secretary-General consulted with the Scientific Advisory Committee in October 1959 and submitted, with the concurrence of the Committee, an interim report to the fourteenth session of the General Assembly (A/4261). In presenting that report, the Secretary-General informed the Assembly that all of the members of the Advisory Committee were agreed on the desirability of holding a third international conference on the peaceful uses of atomic energy, and were of the view that 1962 would seem to be a desirable year for it, and that Geneva would seem to be the most likely site.

3. Since the submission of the interim report, the views of IAEA and the specialized agencies have been canvassed, and they were also consulted at the meeting of the Scientific Advisory Committee, held in Geneva

on 28 April 1960. This report takes into account the views expressed by the members of the Advisory Committee, by IAEA and by the interested specialized agencies. It has the concurrence of all the members of the Advisory Committee.

*Evaluation of the Second International Conference on the Peaceful Uses of Atomic Energy*

4. In his report on the Second Conference to the General Assembly at its thirteenth session (A/3949), the Secretary-General stated that "the comprehensive nature of the Conference, which accounted for its size, led to a synoptic presentation of a vast and complicated area of science and technology, and thereby opened the door to a fruitful exchange of knowledge and ideas among specialists in numerous scientific and technical disciplines from many nations". There can be no doubt that the work of the Second Conference, recorded in its published proceedings, represents a major contribution to the advancement of the peaceful uses of atomic energy.

5. In general, the United Nations conferences on the peaceful uses of atomic energy have three characteristics which set them apart from other scientific meetings. First, their intergovernmental status provides a strong incentive to Governments to exert serious effort towards presenting as much useful information as possible on a broad range of subjects and gives added authority to the reports which delegations make to their Governments on the proceedings of the conference. The incentive and opportunity to declassify hitherto secret information has also been a very valuable feature of the first two conferences.

6. Secondly, the broad and comprehensive nature of these conferences, although it may create certain practical difficulties, allows a world-wide survey of the whole complex field, as well as the opportunity for scientists from a wide variety of disciplines to meet and discuss their common problems and overlapping specialities, in a far broader context than is customary in normal scientific meetings. The resulting cross-fertilization of ideas and broadening of horizons is believed to have been of value generally to all concerned with the field of peaceful uses of atomic energy, an advantage outweighing any inconvenience of massive documentation and of very large attendance.

7. Thirdly, a periodic world-wide survey of the progress made in all the branches of the peaceful uses of atomic energy provides valuable guidance as to the trends in this highly complex field, and upon those aspects of it which may be particularly applicable to the special problems of a given country. This would be the case with regard to all countries, whatever their state of economic development. In the highly developed countries, the assembling and presentation to the conference of comprehensive information on their own programmes has also proved useful. Moreover, as an enduring record of the papers and discussions of the Conference, the published proceedings are especially valuable as a basic work of reference.

8. At the Second Conference a great deal of detailed information was made available and was discussed. In so far as larger developments are concerned, a realistic appraisal was made regarding fusion, whereby, owing to the exchange of information at the Conference, it became clear that a considerable amount of fundamental work had to be carried out before practical results could be expected. This realization has played an important part in promoting a co-operative effort by the countries engaged in fusion work to solve these problems, and this, in itself, is a considerable achievement. With regard to the process of fission, while many countries presented their programmes in the field of peaceful uses of atomic energy, no precise information could be given at the Second Conference as to when fission reactors would be able to compete on a commercial basis with other sources of energy in different parts of the world. This reflects the fact that there is still not enough operational experience from nuclear power stations to reach positive judgements, and this must be kept in mind when the question of the timing of a new conference is considered. In general, the wide-ranging discussions at the Second Conference have been helpful in suggesting useful topics for subsequent smaller and more specialized meetings and in drawing attention to certain problems susceptible to an international approach.

9. The view has also been expressed that the very high attendance at the Conference and the small proportion of time allotted to discussion decreased the value of the Second Conference as an opportunity for personal contact and discussion. It has been suggested, however, that, in this context, a greater use of critical reviews of different aspects of a subject as a basis for discussion and increased opportunities for discussing such critical reviews might be helpful both to Governments in evaluating the proper distribution of scientific effort and to individual specialists requiring a broad view of the whole field.

10. It was generally agreed that the scientific exhibits at the Second Conference were of outstanding

quality and made a very large contribution to the over-all value of the Conference.

#### *Considerations relating to a third international conference on the peaceful uses of atomic energy*

11. There are serious arguments for and against the holding of a third general conference on the peaceful uses of atomic energy. Two of the specialized agencies consulted have expressed a lack of conviction as to the usefulness of a third conference from a scientific point of view, on the grounds that the subject seems now to be adequately covered by smaller, more specialized meetings and through ordinary channels of communication. It has also been said that one of the main achievements of the two previous conferences was to secure an international exchange of information on broad and important aspects of the peaceful uses of atomic energy, e.g., on reactors and the fusion process, and that at present there seems little likelihood of repeating another such break-through at a third conference. It has been further contended that the very impetus given by the First and Second Conferences to the organization of specialized conferences, symposia, seminars, panels and other forms of information exchange, decreases the need for a third conference, since smaller and more specialized meetings provide both for a speedier exchange of information and for closer personal contacts among scientists.

12. On the other hand, the constantly increasing range, specialization and complexity of the peaceful uses of atomic energy make a periodic critical review of the whole field highly desirable. An essential feature of the value of such a review is that it would be both simultaneous and world-wide. A review of this kind also serves to bring together scientists from various disciplines and to provide for the consideration of key problems that are on the borderline of two or more scientific disciplines. The great importance of the peaceful uses of atomic energy to future economic development and the desirability, from every point of view, of promoting international co-operation in the field are also strong reasons for periodic general conferences on the subject.

13. With these considerations in mind, and in view of the unquestioned success of the two previous conferences, the holding of a third international conference on the peaceful uses of atomic energy of a comprehensive character would seem, on balance, to be desirable. Moreover, Geneva would again seem to be the most suitable site for such a conference.

14. In choosing a date for the third conference, various factors must be borne in mind. It is essential to the success of the conference that there should be a body of significant new information to report, especially in the field of nuclear power, and it is also desirable to maintain continuity with the previous conferences. The timing of other international scientific meetings must also be taken into account. It is suggested that, in the light of all factors and particularly of the time at which significant new information is likely to be available, the year 1962 would seem to be preferable for the third conference, although the possibility of 1963 as an alternative date should be left open for the time being.

#### *Organization of the conference*

15. It is generally agreed that there is a tendency for general conferences on the peaceful uses of atomic

energy to become so large in scope and numbers as to be unwieldy both in terms of the range of subjects covered, which finds reflection in the number of papers submitted by Governments, and of the very large numbers of persons attending the conference either as members of delegations or as observers. The Advisory Committee has given serious thought to this problem and has considered certain general ways by which the problem might to some extent be solved—the practical target being a conference similar in size, both as regards papers and participants, to the 1955 Atomic Conference.

#### *Sponsorship*

16. As indicated in the remarks made by the Secretary-General to the General Assembly when presenting the interim report of future conferences at the fourteenth session,<sup>1</sup> the Advisory Committee has discussed the question of the sponsorship of a third conference, and has come to the conclusion that the conference should be held under United Nations sponsorship with, of course, the fullest co-operation of and assistance from IAEA and the interested specialized agencies. Especially with a conference of such magnitude and complexity, divided sponsorship or executive responsibility would tend to create serious problems. On the other hand, it is recognized that IAEA, in particular, should play a very important role in the conference, especially in assisting in its scientific staffing and in the preparation of its detailed programme.

<sup>1</sup> Official Records of the General Assembly, Fourteenth Session, Plenary Meetings, 838th meeting.

#### *Recommendation*

17. It is recommended that a third United Nations International Conference on the Peaceful Uses of Atomic Energy of the same comprehensive character as the previous two should be held in Geneva in 1962, at a precise date to be determined later, on the understanding that the possibility of 1963 as an alternative date should be left open for the time being. The Conference should be sponsored and organized by the United Nations with the full assistance of the IAEA and of the interested specialized agencies.

#### **Document A/4391/Add.1**

[Original text: English]  
[11 November 1960]

The United Nations Scientific Advisory Committee, at its meeting on 11 November 1960, considered further the question of a third United Nations International Conference on the Peaceful Uses of Atomic Energy, in the light of developments subsequent to its previous meeting. The Committee reaffirmed its conviction about the utility of a third conference, stressing that it would be of great importance, both for the exchange of scientific information and for taking stock of the developments in the field of peaceful uses of atomic energy. The opinion was unanimous that the third conference should take place in Geneva in the first two weeks of August 1963, since, taking all factors into account, this later date would provide the best opportunity for the presentation of important new information in the field. The Committee, however, was of the view that the conference should not be held later than 1963.

### **DOCUMENT A/4751**

#### **Report of the Special Political Committee**

[Original text: English and Spanish]  
[21 April 1961]

1. On 5 July 1960 there was circulated the "Final report of the Secretary-General evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future" (A/4391). That report recommended that a third United Nations International Conference on the Peaceful Uses of Atomic Energy of the same comprehensive character as the previous two should be held in Geneva. The Conference, it was reported, should be sponsored and organized by the United Nations with the full assistance of IAEA and of the interested specialized agencies. In a supplement to that report (A/4391/Add.1) dated 11 November 1960, it was noted that the United Nations Scientific Advisory Committee was of the unanimous

opinion that the third Conference should take place in Geneva in the first two weeks of August 1963.

2. At its 898th plenary meeting on 10 October 1960, the General Assembly, upon recommendation of the General Committee, decided to place the item on the agenda of the fifteenth session and at its 904th meeting on 13 October allocated the item to the Special Political Committee for consideration and report.

3. At its 259th meeting of the Committee on 21 April 1961, the Chairman informed the Committee that further consultations on the matter were required.

4. No discussion took place; therefore the Committee has no recommendation to make to the General Assembly on this item.

#### **ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 995th plenary meeting on 21 April 1961, the General Assembly took note of the report of the Special Political Committee (A/4751).

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**CHECK LIST OF DOCUMENTS**

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 25 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/3949	Report of the Secretary-General	<i>Official Records of the General Assembly, Thirteenth Session, Annexes, agenda item 66</i>
A/4261	Interim report of the Secretary-General evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of similar conferences in the future	<i>Ibid., Fourteenth Session, Annexes, agenda item 23</i>



**Agenda item 26: Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East\***

**C O N T E N T S**

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
A/4573	Eighteenth progress report of the United Nations Conciliation Commission for Palestine (1 September 1959-11 November 1960).....	1
A/SPC/L.61/ Rev.1	Afghanistan, Federation of Malaya, Indonesia, Pakistan and Somalia: revised draft resolution	2
A/SPC/L.65	United States of America: draft resolution .....	2
A/SPC/L.65/ Rev.1	United States of America: revised draft resolution .....	3
A/4734	Report of the Special Political Committee .....	3
<b>Action taken by the General Assembly</b> .....		6
<b>Check list of documents</b> .....		6

\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Special Political Committee*, 199th to 214th, 224th, 246th to 254th meetings; and *ibid.*, *Plenary Meetings*, 993rd meeting.

**DOCUMENT A/4573**

**Eighteenth progress report of the United Nations Conciliation Commission for Palestine  
(1 September 1959 - 11 November 1960)**

[Original text: English]  
[14 November 1960]

*Note by the Secretary-General:* The Secretary-General has the honour to communicate to the Members of the United Nations, in accordance with the provisions of paragraph 6 of General Assembly resolution 512 (VI) of 26 January 1952, the eighteenth progress report of the United Nations Conciliation Commission for Palestine.

1. As indicated in its previous reports, the United Nations Conciliation Commission for Palestine, during the last few years, has directed its efforts principally to the programme of identification and valuation of Arab refugee immovable property holdings in Israel and the release of Arab refugee bank accounts and safe deposits blocked in Israel.

2. Since its seventeenth progress report (A/4225 and Add.1), the Commission decided to accelerate the completion of the valuation programme. In accordance with General Assembly resolution 1456 (XIV) of 9 December 1959, the Commission also has been exploring during the past ten months possible ways by which it might contribute to the implementation of the principles enunciated in paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948.

3. As the identification of Arab individual holdings in Israel is now practically complete, the work of valuation has commenced both in urban areas and in rural districts. The work at present comprises the analysis of the prices realized in sales which took place in the year 1946-1947. This analysis is an essential

preliminary to the application of values to individual holdings. The analysis entails the study by trained valuation personnel of the various factors determining the prices for any particular parcel of land and/or buildings and is the accepted method of arriving at a basic level of value for particular types of land in particular areas. Owing to the large number of factors involved, analysis takes a considerable time even for trained personnel. Early this year the Commission decided that the work on the programme of valuation should be speeded up and that the Secretary-General be requested to recruit the required additional personnel in order that the work of analysis may be completed by August 1961.

4. In connexion with this technical preparation concerning repatriation-compensation planning, the Commission is also considering the problem of accurate identification of Palestine refugee claimants.

5. In regard to the release of Arab refugee bank accounts blocked in Israel, as at 30 June 1960 a total of £2,783,433 of the accounts have been released. In the addendum to the seventeenth progress report of the

Commission (A/4225/Add.1), it was stated that, on 11 November 1959, the representative of Israel had informed the Commission that the Government of Israel had decided to release the bank accounts blocked in Israel in banks other than Barclay's and the Ottoman Bank and that it would be glad to formulate, in consultation with the Conciliation Commission, technical arrangements for their release. On 7 November 1960, the Permanent Representative of Israel informed the Chairman of the Commission that his Government and Barclay's Bank, Ltd. had concluded an agreement whereby the Bank undertook to deal with the claims respecting Arab refugee accounts blocked in banks other than Barclay's and the Ottoman Bank by procedures similar to those which had been employed for the previous release of other blocked accounts. The Commission's Liaison Officer in Jerusalem has been instructed to ensure that the technical arrangements envisaged for such release are established as soon as possible.

6. As at 30 June 1960 the present position in regard to the transfer of valuables is as follows:

*Safe custody dossiers released during period  
1 July 1959 to 30 June 1960*

Total dossiers released (of which Palestine Government Bearer Bonds: 6).....	8
Safe Deposit Lockers.....	Nil

7. In order to facilitate the work of the Commission in connexion with resolution 1456 (XIV), the Secretariat was requested to prepare working papers on both the questions of compensation and repatriation. These papers constitute a historical survey of steps taken by the Commission to carry out the mandate contained in paragraph 11 of General Assembly resolution 194 (III), which relates to the question of repatriation and compensation, together with respective positions held by the Governments of Israel and the Arab States. The paper on repatriation also contains a summary of consideration of the refugee questions since 1952, including proposals and less formal suggestions such as those that may be found in the available records. These working papers will be ready in the near future.

8. On the basis of an examination of the facts set out in the two working papers prepared for it, the Commission, in response to the terms of resolution 1456 (XIV), is giving careful consideration to possible courses of action which might be open to it in its endeavours to facilitate progress towards promoting agreement between the parties concerned on steps to be taken to secure the implementation of the provisions of paragraph 11 of resolution 194 (III) regarding repatriation and compensation. The Commission remains at the disposal of the Governments concerned for any assistance it can render.

## DOCUMENT A/SPC/L.61/REV.1

### Afghanistan, Federation of Malaya, Indonesia, Pakistan and Somalia: revised draft resolution

[Original text: English]  
[11 April 1961]

*The General Assembly,*

*Recalling* its resolutions 194 (III) of 11 December 1948, 302 (IV) of 8 December 1949, 393 (V) of 2 December 1950, 513 (VI) of 26 January 1952, 614 (VII) of 6 November 1952, 720 (VIII) of 27 November 1953, 818 (IX) of 4 December 1954, 916 (X) of 3 December 1955, 1018 (XI) of 28 February 1957, 1191 (XII) of 12 December 1957, 1315 (XIII) of 12 December 1958 and 1456 (XIV) of 9 December 1959,

*Noting* the annual report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

*Noting with deep regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not been effected, and that therefore the situation of the refugees continues to be a matter of serious concern,

*Recognizing* the need to safeguard the property rights of the Arab refugees of Palestine,

1. *Notes with regret* that the United Nations Conciliation Commission for Palestine has not yet reported

progress on carrying out the task entrusted to it in paragraph 4 of General Assembly resolution 1456 (XIV), and again requests the United Nations Conciliation Commission for Palestine to make efforts to secure the implementation of paragraph 11 of General Assembly resolution 194 (III) and report thereon to the General Assembly at its sixteenth session;

2. *Recommends* to the General Assembly at its sixteenth session the establishment of appropriate and effective machinery for safeguarding the property rights of the Arab refugees of Palestine;

3. *Directs attention* to the precarious financial position of the Agency and urges Governments to consider to what extent they can contribute or increase their contributions so that the Agency can carry out its programmes;

4. *Expresses its thanks* to the Director and the staff of the Agency for their continued faithful efforts to carry out the mandate of the Agency, and to the specialized agencies and the many private organizations for their valuable and continuing work in assisting the refugees.

## DOCUMENT A/SPC/L.65

### United States of America: draft resolution

[Original text: English]  
[17 April 1961]

*The General Assembly,*

*Recalling* its resolutions 194 (III) of 11 December 1948, 302 (IV) of 8 December 1949, 393 (V) of 2

December 1950, 513 (VI) of 26 January 1952, 614 (VII) of 6 November 1952, 720 (VIII) of 27 November 1953, 818 (IX) of 4 December 1954, 916 (X)

of 3 December 1955, 1018 (XI) of 28 February 1957, 1191 (XII) of 12 December 1957, 1315 (XIII) of 12 December 1958 and of 1456 (XIV) of 9 December 1959,

1. *Notes* the annual report of the Director of the United Nations Relief and Works Agency and commends to the particular attention of Governments his programme of vocational training;

2. *Notes further* that in accordance with paragraph 1 of General Assembly resolution 1456 (XIV) the man-

date of the United Nations Relief and Works Agency is to be reviewed at the sixteenth General Assembly;

3. *Believes* that in its consideration of this item at the sixteenth session, careful consideration should be given to the future welfare of the refugees themselves, including the safeguarding of their rights set forth in resolution 194 (III), paragraph 11, to repatriation or compensation for properties left behind.

## DOCUMENT A/SPC/L.65/REV.1

### United States of America: revised draft resolution

[Original text: English]  
[18 April 1961]

*The General Assembly,*

*Recalling* its resolutions 194 (III) of 11 December 1948, 302 (IV) of 8 December 1949, 393 (V) of 2 December 1950, 513 (VI) of 26 January 1952, 614 (VII) of 6 November 1952, 720 (VIII) of 27 November 1953, 818 (IX) of 4 December 1954, 916 (X) of 3 December 1955, 1018 (XI) of 28 February 1957, 1191 (XII) of 12 December 1957, 1315 (XIII) of 12 December 1958 and of 1456 (XIV) of 9 December 1959,

*Noting* the annual report of the Director of the United Nations Relief and Works Agency and commending to

the particular attention of Governments his programme of vocational training,

*Noting further* that in accordance with paragraph 1 of General Assembly resolution 1456 (XIV) the mandate of the United Nations Relief and Works Agency is to be reviewed at the sixteenth General Assembly,

*Believes* that in its consideration of this item at the sixteenth session, careful consideration should be given to the future welfare of the refugees themselves, including the safeguarding of their rights set forth in resolution 194 (III), paragraph 11.

## DOCUMENT A/4734

### Report of the Special Political Committee

[Original text: English and Spanish]  
[19 April 1961]

1. In accordance with the request made in paragraph 21 of resolution 302 (IV) of 8 December 1949 and in operative paragraph 8 of resolution 1315 (XIII) of 12 December 1958, the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East submitted to the General Assembly his report for the year ending 30 June 1960 (A/4478).

2. At its 898th plenary meeting on 10 October 1960, the General Assembly decided to include the above item in the agenda of its fifteenth session, and at the 904th plenary meeting on 13 October, allocated the item to the Special Political Committee for consideration and report.

3. The Special Political Committee considered the question at its 199th to 214th meetings from 14 to 30 November 1960, at the 224th meeting on 19 December, and at its 246th to 254th meetings from 11 to 18 April 1961.

4. At the 199th meeting, the Chairman, with the consent of the Committee, invited the Director of the Agency to take a place at the Committee table. At the same meeting, a statement was made by the Director of the Agency.

5. At the 202nd meeting on 17 November, the Chairman drew the attention of the Committee to a letter from the representatives of Iraq, Jordan, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Tunisia, United Arab Republic and Yemen (A/SPC/48) requesting that a Palestinian Arab delegation composed of four persons be heard by the Committee. After some discus-

sion, the Committee agreed to grant a hearing to the delegation in accordance with the procedure followed at previous sessions. With the consent of the Committee, Mr. Emile Ghory, a member of that delegation, made a statement at that meeting, and Mr. Izzat Tannous, another member, at the 212th meeting on 29 November.

6. At the 214th meeting on 30 November, the Committee concluded its general debate on the item and adjourned its consideration pending the submission of a draft resolution. At the 224th meeting on 19 December, the Chairman suggested that, since negotiations between interested delegations had not yet resulted in the formulation of a draft resolution, consideration of the item be postponed until a later date. This suggestion was approved without a vote, it being understood that the question would remain on the agenda of the fifteenth session for the consideration of any draft resolutions which might be submitted. In view of this decision, the representative of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East read a statement by the Director.

7. At the 246th meeting, on 11 April 1961 a draft resolution submitted by Afghanistan, Federation of Malaya, Indonesia, Pakistan and Somalia (A/SPC/L.61) was circulated. According to this draft resolution the General Assembly, *inter alia*, after noting with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) had not been effected and that, therefore, the situation of the refugees continued to be a

matter of serious concern, and recognizing the need to safeguard the property rights of the Arab refugees of Palestine, would: (1) note with regret that the United Nations Conciliation Commission for Palestine had not yet reported progress on carrying out the task entrusted to it in paragraph 4 of General Assembly resolution 1456 (XIV), and again request the United Nations Conciliation Commission for Palestine to make efforts to secure the implementation of paragraph 11 of General Assembly resolution 194 (III) and report thereon to the General Assembly at its sixteenth session; (2) recommend to the General Assembly at its sixteenth session the establishment of appropriate and effective machinery for safeguarding the property rights of the Arab refugees of Palestine; (3) direct attention to the precarious financial position of the Agency and urge Governments to consider to what extent they could contribute or increase their contributions so that the Agency could carry out its programmes; and (4) express its thanks to the Director and the staff of the Agency for their continued faithful efforts to carry out the mandate of the Agency, and to the specialized agencies and the many private organizations for their valuable and continuing work in assisting the refugees.

8. At the 246th meeting on 11 April, when the Committee resumed consideration of this item the representative of Indonesia introduced a draft resolution (A/SPC/L.61/Rev.1) which was amended to include in the first paragraph of the preamble references to the resolutions adopted at the thirteenth and fourteenth sessions.

9. At the 247th meeting on 12 April, the United States of America submitted four amendments (A/SPC/L.62) to draft resolution A/SPC/L.61/Rev.1.

(1) The third preambular paragraph of the draft resolution would be changed to read:

*"Noting with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed in paragraph 2 of resolution 513 (VI) for the reintegration of refugees either by repatriation or resettlement and that therefore the situation of the refugees continues to be a matter of serious concern"*.

(2) The final preambular paragraph would be changed to:

*"Recognizing that the sixteenth General Assembly is to review the whole problem of the refugees . . ."*.

(3) In operative paragraph 1, everything after the word "thereon" would be deleted and the words "not later than 15 October 1961" would be added.

(4) Operative paragraph 2 would be changed to read:

*"Recommends to the General Assembly that at its sixteenth session primary consideration be given to the future welfare of the refugees themselves."*

10. At the 248th meeting on 12 April, Iraq and Libya submitted sub-amendments (A/SPC/L.63) to the United States amendments (A/SPC/L.62). According to the Iraqi-Libyan sub-amendments, a final preambular paragraph would be added to the draft resolution (A/SPC/L.61/Rev.1) to read:

*"Recognizing that the General Assembly at its sixteenth session is to review the whole problem of the refugees"*.

Operative paragraph 2 of draft resolution A/SPC/L.61/Rev.1 would be changed to read:

*"Recommends to the General Assembly that at its sixteenth session primary consideration be given to the future welfare of the refugees themselves and that effective machinery for safeguarding the property rights of the Palestine Arab refugees be established."*

11. At the 249th meeting on 13 April, the Philippines submitted an amendment (A/SPC/L.64) to the second preambular paragraph of draft resolution A/SPC/L.61/Rev.1 to add the words "covering the period 1 July 1959-30 June 1960".

12. At the 252nd meeting on 17 April, the representative of the United States withdrew the United States amendment (A/SPC/L.62) to draft resolution A/SPC/L.61/Rev.1, and at the same meeting submitted a new draft resolution (A/SPC/L.65), under the terms of which the Assembly would, *inter alia*, (1) note the annual report of the Director of UNRWA and commend to the particular attention of Governments his programme of vocational training; (2) note further that in accordance with paragraph 1 of the General Assembly resolution 1456 (XIV) the mandate of UNRWA was to be reviewed at the sixteenth session of the General Assembly; (3) express the belief that in its consideration of this item at the sixteenth session, careful consideration should be given to the future welfare of the refugees themselves, including the safeguarding of their rights set forth in resolution 194, paragraph 11, to repatriation or compensation for properties left behind.

13. At the same meeting, the representative of Iraq withdrew the Iraqi-Libyan sub-amendments (A/SPC/L.63) to the United States amendment, and submitted orally a new amendment to the operative paragraph 2 of draft resolution A/SPC/L.61/Rev.1, according to which that paragraph would read:

*"Recommends to the General Assembly that at its sixteenth session primary consideration be given to the future welfare of the refugees themselves including the means of safeguarding their property rights."*

14. Also at the same meeting, the representative of Pakistan, on behalf of the co-sponsors of draft resolution A/SPC/L.61/Rev.1, accepted the Iraqi oral amendment, the Philippine amendment (A/SPC/L.64), and also amendments 1 and 3 of the amendments which had been submitted by the United States (A/SPC/L.62). These were incorporated in a revised text of draft resolution A/SPC/L.61/Rev.2.

15. At the 253rd meeting on 18 April, the representative of the United States submitted a revised text of his delegation's draft resolution (A/SPC/L.65/Rev.1). In the revised text, the first and the second operative paragraphs became the second and third preambular paragraphs, with necessary changes, and the words "to repatriation or compensation for properties left behind" in the third operative paragraph were deleted.

16. At the same meeting, the United Kingdom submitted an amendment (A/SPC/L.66) to the revised draft resolution (A/SPC/L.61/Rev.2) to change the word "reported" in the second line of operative paragraph 1, to read "been able to report".

17. At the same meeting, the Committee proceeded to vote on the revised draft resolution (A/SPC/L.61/Rev.2) and the United Kingdom amendment to it (A/SPC/L.66).

The United Kingdom amendment was adopted by 26 votes to 22, with 32 abstentions.

The first, second and third preambular paragraphs of the draft resolution were adopted by 64 votes to none, with 16 abstentions.

The fourth preambular paragraph was adopted by a roll-call vote of 46 to 20, with 20 abstentions. The voting was as follows:

*In favour*: Afghanistan, Albania, Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, China, Cuba, Cyprus, Czechoslovakia, Ethiopia, Federation of Malaya, Ghana, Greece, Guinea, Hungary, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Nigeria, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Somalia, Spain, Sudan, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia.

*Against*: Australia, Austria, Belgium, Canada, Colombia, Denmark, France, Honduras, Iceland, Ireland, Israel, Netherlands, New Zealand, Nicaragua, Norway, Panama, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining*: Bolivia, Brazil, Burma, Cameroun, Central African Republic, Chad, Chile, Congo (Brazzaville), Dahomey, Dominican Republic, Finland, Italy, Japan, Laos, Peru, Portugal, Senegal, Thailand, Upper Volta, Uruguay.

Operative paragraph 1 was adopted by 55 votes to 1, with 25 abstentions.

Operative paragraph 2 was adopted by a roll-call vote of 46 to 18, with 22 abstentions. The voting was as follows:

*In favour*: Afghanistan, Albania, Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, China, Cuba, Cyprus, Czechoslovakia, Ethiopia, Federation of Malaya, Ghana, Greece, Guinea, Hungary, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Nigeria, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Somalia, Spain, Sudan, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia.

*Against*: Australia, Austria, Belgium, Canada, Colombia, Denmark, France, Iceland, Ireland, Israel, Netherlands, New Zealand, Nicaragua, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining*: Bolivia, Brazil, Burma, Cameroun, Central African Republic, Chad, Chile, Congo (Brazzaville), Dahomey, Dominican Republic, Finland, Honduras, Italy, Japan, Laos, Panama, Peru, Portugal, Senegal, Thailand, Upper Volta, Uruguay.

Operative paragraphs 3 and 4 were adopted by 68 votes to none, with 16 abstentions.

The Committee adopted the revised draft resolution as a whole by a roll-call vote of 47 to 19, with 20 abstentions. The voting was as follows:

*In favour*: Afghanistan, Albania, Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, China, Cuba, Cyprus, Czechoslovakia, Dominican Republic, Ethiopia, Federation of Malaya, Ghana, Greece, Guinea, Hungary, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Nigeria, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Somalia, Spain, Sudan, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet

Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia.

*Against*: Australia, Belgium, Canada, Central African Republic, Chad, Colombia, Congo (Brazzaville), Dahomey, France, Honduras, Israel, Netherlands, Nicaragua, Senegal, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay.

*Abstaining*: Austria, Bolivia, Brazil, Burma, Cameroun, Chile, Denmark, Finland, Iceland, Ireland, Italy, Japan, Laos, New Zealand, Norway, Panama, Peru, Portugal, Sweden, Thailand.

18. At the 253rd meeting on 18 April, the Committee proceeded to a vote on the United States revised draft resolution (A/SPC/L.65/Rev.1). It was rejected by a roll-call vote of 31 to 30, with 15 abstentions. The voting was as follows:

*In favour*: Australia, Austria, Belgium, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo (Brazzaville), Costa Rica, Denmark, Dominican Republic, Finland, France, Iceland, Ireland, Italy, Mexico, Netherlands, New Zealand, Norway, Panama, Philippines, Senegal, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against*: Afghanistan, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Cuba, Czechoslovakia, Federation of Malaya, Greece, Guinea, Hungary, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Mali, Morocco, Poland, Romania, Saudi Arabia, Somalia, Spain, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia.

*Abstaining*: Argentina, Brazil, Burma, Cyprus, Ethiopia, Ghana, Iran, Israel, Japan, Laos, Liberia, Nepal, Pakistan, Thailand, Venezuela.

### **Recommendation of the Special Political Committee**

19. The Special Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

#### **REPORT OF THE DIRECTOR OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST**

##### *The General Assembly,*

*Recalling* its resolutions 194 (III) of 11 December 1948, 302 (IV) of 8 December 1949, 393 (V) of 2 December 1950, 513 (VI) of 26 January 1952, 614 (VII) of 6 November 1952, 720 (VIII) of 27 November 1953, 818 (IX) of 4 December 1954, 916 (X) of 3 December 1955, 1018 (XI) of 28 February 1957, 1191 (XII) of 12 December 1957, 1315 (XIII) of 12 December 1958 and 1456 (XIV) of 9 December 1959,

*Noting* the annual report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period 1 July 1959-30 June 1960 (A/4478),

*Noting* with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed in paragraph 2 of resolution 513

(VI) for the reintegration of refugees either by repatriation or resettlement and that therefore the situation of the refugees continues to be a matter of serious concern.

*Recognizing* the need to safeguard the property rights of the Arab refugees of Palestine,

1. *Notes with regret* that the United Nations Conciliation Commission for Palestine has not yet been able to report progress on carrying out the task entrusted to it in paragraph 4 of General Assembly resolution 1456 (XIV), and again requests the United Nations Conciliation Commission for Palestine to make efforts to secure the implementation of paragraph 11 of General Assembly resolution 194 (III) and report thereon not later than 15 October 1961;

2. *Recommends* to the General Assembly that at its sixteenth session primary consideration be given to the future welfare of the refugees themselves, including the means of safeguarding their property rights;

3. *Directs attention* to the precarious financial position of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and urges Governments to consider to what extent they can contribute or increase their contributions so that the Agency can carry out its programmes;

4. *Expresses its thanks* to the Director and the staff of the Agency for their continued faithful efforts to carry out the mandate of the Agency, and to the specialized agencies and the many private organizations for their valuable and continuing work in assisting the refugees.

### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 993rd plenary meeting, on 21 April 1961, the General Assembly amended and adopted the draft resolution submitted by the Special Political Committee (A/4374, para. 19). For the final text, see resolution 1604 (XV) below.

#### Resolution adopted by the General Assembly

1604 (XV). REPORT OF THE DIRECTOR OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

*The General Assembly,*

*Recalling* its resolutions 194 (III) of 11 December 1948, 302 (IV) of 8 December 1949, 393 (V) of 2 December 1950, 513 (VI) of 26 January 1952, 614 (VII) of 6 November 1952, 720 (VIII) of 27 November 1953, 818 (IX) of 4 December 1954, 916 (X) of 3 December 1955, 1018 (XI) of 28 February 1957, 1191 (XII) of 12 December 1957, 1315 (XIII) of 12 December 1958 and 1456 (XIV) of 9 December 1959,

*Noting* the annual report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period 1 July 1959-30 June 1960 (A/4478),

*Noting with deep regret* that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed in paragraph 2 of resolution

513 (VI) for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern,

1. *Notes with regret* that the United Nations Conciliation Commission for Palestine has not yet been able to report progress on carrying out the task entrusted to it in paragraph 4 of General Assembly resolution 1456 (XIV), and again requests the Commission to make efforts to secure the implementation of paragraph 11 of General Assembly resolution 194 (III) and report thereon not later than 15 October 1961;

2. *Directs attention* to the precarious financial position of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and urges Governments to consider to what extent they can contribute or increase their contributions so that the Agency can carry out its programmes;

3. *Expresses its thanks* to the Director and the staff of the Agency for their continued faithful efforts to carry out the mandate of the Agency, and to the specialized agencies and the many private organizations for their valuable and continuing work in assisting the refugees.

993rd plenary meeting,  
21 April 1961.

### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 26 which are not reproduced in the present fascicle.

Document No.	Title	Observations and references
A/364	Report of the United Nations Special Committee on Palestine	Official Records of the General Assembly, Second Session, Supplement No. 11, Vol. I
A/620	Report of the Security Council to the General Assembly	Ibid., Third Session, Supplement No. 2
A/648	Progress Report of the United Nations Mediator on Palestine	Ibid., Supplement No. 11
A/927	Third Progress Report of the United Nations Conciliation Commission for Palestine	Ibid., Fourth Session, Ad Hoc Political Committee, Annex to Summary Records of Meetings, Vol. II

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/1106	First interim Report of the United Nations Economic Survey Mission for the Middle East: letter from the Chairman of the United Nations Conciliation Commission for Palestine to the Secretary-General	<i>Ibid.</i> , Vol. I
A/1367/Rev.1	General Progress Report and Supplementary Report of the United Nations Conciliation Commission for Palestine	<i>Ibid.</i> , Fifth Session, Supplement No. 18
A/1985	Progress Report of the United Nations Conciliation Commission for Palestine covering the period from 23 January to 19 November 1951	<i>Ibid.</i> , Sixth Session, Supplement No. 18
A/4121	Proposals for the continuation of United Nations assistance to Palestine refugees: document submitted by the Secretary-General	<i>Ibid.</i> , Fourteenth Session, Annexes, agenda item 27
A/4132	Annual report of the Secretary-General on the work of the Organization (16 June 1958-15 June 1959)	<i>Ibid.</i> , Supplement No. 1
A/4225 and Add.1	Seventeenth progress report of the United Nations Conciliation Commission for Palestine	<i>Ibid.</i> , Annexes, agenda item 27
A/4390	Annual Report of the Secretary-General on the Work of the Organization (16 June 1959-15 June 1960)	<i>Ibid.</i> , Fifteenth Session, Supplement No. 1
A/4478	Annual Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (1 July 1959-30 June 1960)	<i>Ibid.</i> , Supplement No. 14
A/SPC/48	Letter dated 8 November 1960 from the representatives of Iraq, Jordan, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Tunisia, United Arab Republic and Yemen addressed to the Chairman of the Special Political Committee	Mimeographed
A/SPC/L.61	Afghanistan, Federation of Malaya, Indonesia, Pakistan and Somalia: draft resolution	See A/SPC/L.61/Rev.1 and A/4734, para. 8
A/SPC/L.61/Rev.2	Afghanistan, Federation of Malaya, Indonesia, Pakistan and Somalia: revised draft resolution	See A/4734, paras. 17 and 19
A/SPC/L.62	United States of America: amendment to the draft resolution submitted by Afghanistan, Federation of Malaya, Indonesia, Pakistan and Somalia (A/SPC/L.61/Rev.1)	<i>Ibid.</i> , para. 9
A/SPC/L.63	Iraq and Libya: sub-amendments to amendments submitted by the United States of America (A/SPC/L.62)	<i>Ibid.</i> , para. 10
A/SPC/L.64	Philippines: amendment to the draft resolution submitted by Afghanistan, Federation of Malaya, Indonesia, Pakistan and Somalia (A/SPC/L.61/Rev.1)	<i>Ibid.</i> , para. 11
A/SPC/L.66	United Kingdom: amendment to the draft resolution submitted by Afghanistan, Federation of Malaya, Indonesia, Pakistan and Somalia (A/SPC/L.61/Rev.2)	<i>Ibid.</i> , para. 16



**Agenda item 27: United Nations Emergency Force:\***  
**(a) Cost estimates for the maintenance of the Force;**  
**(b) Progress report on the Force**

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A/4486 and Add.1 and 2	Progress report of the Secretary-General on the Force... ..	13
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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Fifth Committee*, 821st, 822nd and 824th meetings; and *ibid.*, *Plenary Meetings*, 960th meeting.

**DOCUMENT A/4396**

**Cost estimates for the maintenance of the Force: report of the Secretary-General**

[Original text: English]  
[8 July 1960]

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**Foreword by the Secretary-General**

1. The United Nations Emergency Force (UNEF) under its new Commander, Lieutenant-General P. S. Gyani, has continued to provide a stabilizing influence in its area of operation in the Middle East.

2. There can be no question, I believe, regarding the effective contribution that the Force has made during the past three and a half years, nor of the desirability that it should continue its mission in the year to come. Accordingly, I am submitting herewith the 1961 budget estimates for the Force.

3. The 1961 estimates total \$19,384,800. This amount is \$821,200 less than the revised estimates of \$20,206,000 which I submitted for the year 1960, and \$615,200 below the maximum amount of \$20 million which the General Assembly at its fourteenth session (resolution 1441 (XIV)) authorized me to expend for the continuing operation of the Force during 1960.

4. As in past years, the estimates are presented in two parts, part A, consisting of seven sections, covers the operating costs incurred by the United Nations for

the Force, and part B, consisting of three sections, covers the reimbursements to be made of the extra and extraordinary costs incurred by Governments as a result of the participation of their contingents in UNEF.

5. It will be a source of some satisfaction to Member States to note that the 1961 estimates for the operating costs of the Force show a decrease of \$915,000 from the 1960 appropriation for this purpose and that this reduction more than offsets the estimated increase of \$300,000 for reimbursements to the Governments providing contingents to UNEF of their extra and extraordinary costs relating to pay and allowances and to service-incurred death and disability awards which are included in part B of the estimates.

6. In previous years the costs of death and disability awards on behalf of members of the Force have been charged against the provision for "Contingencies" under part A of the budget, but since these costs, which are now assuming some importance, are incurred in the first instance by Governments under their national legislation and are then reimbursed by UNEF, the

estimated amount required for 1961 is shown in a new section 10 in part B of the 1961 budget.

7. It will be recalled that in the 1960 budget estimates<sup>1</sup> no specific dollar amount was provided in respect of section 9 of part B, which relates to compensation for equipment, *matériel* and supplies furnished by Governments to their contingents, but that the General Assembly decided in resolution 1441 (XIV) that if Member Governments do not avail themselves of credits, deriving from the \$3,475,000 of special financial assistance which had been pledged voluntarily for the Force in 1960, the amounts involved would be credited to that section of the 1960 budget. Although several Member Governments have already indicated they would not avail themselves of the credits referred to above, it is not possible at this time to estimate realistically the total amount that may be credited to section 9 in 1960 since a number of Governments still have the matter under consideration.

8. Every effort is being made to keep the Organization's liabilities for such reimbursement to the lowest possible level by equipping and providing contingents in the Force to the maximum extent feasible with UNEF-owned rather than contingent-owned equipment and supplies; nevertheless, liabilities for reimbursements to Governments must continue to be incurred, principally in respect of contingents' clothing, small arms and ammunition.

9. In view of the fact that UNEF will soon be in its fifth year of operation, that substantial claims for loss or deterioration of Government-owned equipment and supplies have accrued during the past three and one-half years, and that increases in such claims must be expected so long as UNEF continues, I consider it would be appropriate for the General Assembly at its fifteenth session to reconsider the original reimbursement policy which it approved at its twelfth session (resolution 1151 (XII)), which defers reimbursements to the Governments concerned until the conclusion of the total period of service of its contingents in UNEF. Accordingly, I shall refer to this matter in the report on

the Force which will be submitted to the General Assembly at its fifteenth session.

10. Pending that report, which will provide a later opportunity to consider the over-all financial situation in respect of the Force and the extent to which amounts may be credited to section 9 in the 1960 budget as a result of Member States not availing themselves of the credits referred to in paragraph 7 above, I am not including any amount in the present 1961 estimates for section 9.

11. The estimates for 1961 have been based, as were those for 1960 on maintaining the total military strength of the Force at approximately 5,300 officers and other ranks. The actual strength of the Force for the period June 1959 to February 1960 averaged 5,337 and, as I indicated in my report of 10 September 1959 on the Force,<sup>2</sup> further appreciable reductions in the strength of the Force are not possible if it is to continue to discharge effectively its present functions and responsibilities.

12. Despite the fact that no important change is foreseen during the coming year in the present size or composition of the military units in the Force, it has been necessary, on the basis of the latest claims from Governments, to increase the estimate for section 8, as indicated in paragraph 5 above, by \$300,000 over the corresponding amount provided in the 1960 budget. The costs under this section of the budget are by their very nature not subject to administrative control by the Secretariat since they are governed primarily by the pay and allowance provisions in the national legislation of the Governments providing contingents to the Force. Moreover, these Governments are not in all cases in a position to predict in advance the extra costs which they may be required to incur.

13. In connexion with its review of these estimates, the General Assembly will no doubt wish to give consideration to the increasingly unsatisfactory financial status of the UNEF Special Account which is reflected in the following summary of contributions assessed, received and due as at 31 May 1960.

<sup>1</sup> *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 28, document A/4160.

<sup>2</sup> *Ibid.*, document A/4210.

<i>Year</i>	<i>Total amount assessed</i>	<i>Amount received (including credits) United States dollars</i>	<i>Per cent received</i>	<i>Balance due</i>
1957.....	15,028,988	10,752,020	71.54	4,276,968
1958.....	25,000,000	16,686,312	66.75	8,313,688
1959.....	15,205,000	10,199,845	67.08	5,005,155
1960.....	20,000,000	13,127,893	65.64	6,872,107
<b>TOTAL, 1957-1960</b>	<b>75,233,988</b>	<b>50,766,070</b>	<b>67.48</b>	<b>24,467,918</b>

14. At 31 May 1960, a total of \$24,467,918 remained unpaid in respect of UNEF assessments for the years 1957 to 1960 inclusive. This amount represents 32.5 per cent of the total UNEF assessments for the four-year period.

15. As a result of the steady increase in the arrears of contributions to the UNEF Special Account, it was necessary throughout the past year to have recourse to advances from the Organization's Working Capital Fund in order to finance current UNEF expenses. At the beginning of 1959 these advances amounted only to \$127,004 but at the year's end they totalled \$2,902,483 and at the end of 1960 it is estimated the necessary

advances will exceed this figure by several million dollars.

16. When consideration is given also to the fact that at the end of 1959 UNEF's unliquidated obligations, including amounts reserved for compensating Governments for the equipment and supplies provided to their contingents, totalled \$16,599,345, I believe the financial situation must be considered so critical as to require the finding of some solution to this problem at latest during the fifteenth session of the General Assembly.

17. I would request that the General Assembly when it approves the 1961 budget for the Force authorize me, as it has in past years, to transfer credits between

sections within part A—Operating costs incurred by the United Nations, or part B—Reimbursement of extra and extraordinary costs incurred by Governments providing contingents, and from part A to part B. However, in accordance with existing practice, transfers

from part B to A would only be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions.

(Signed) Dag HAMMARSKJOLD  
Secretary-General

## UNITED NATIONS EMERGENCY FORCE

### Budget estimates for the period 1 January to 31 December 1961

(with 1960 approved budget amounts and 1959 expenses)

	1961 estimates	1960 budget	1959 expenses
United States dollars			
<b>Part A. Operating costs incurred by the United Nations</b>			
<b>SECTION 1. MILITARY PERSONNEL</b>			
<i>Chapter</i>			
I. Allowances .....	1,664,000	1,664,000	1,643,898
II. Rotation of contingents .....	1,822,000	1,765,000	1,750,617
III. Travel and subsistence .....	167,000	186,000	171,890
<b>TOTAL, section 1</b>	<b>3,653,000</b>	<b>3,615,000</b>	<b>3,566,405</b>
<b>SECTION 2. OPERATIONAL EXPENSES</b>			
<i>Chapter</i>			
I. Purchase of equipment			
(i) Motor transport and heavy mobile equipment .....	172,500	230,000	38,796
(ii) Miscellaneous operational equipment .....	147,100	271,000	238,432
II. Maintenance and operation of equipment			
(i) Maintenance and operation of motor transport, heavy mobile equipment and stationary engines .....	979,700	1,062,000	1,019,449
(ii) Operation of aircraft .....	593,500	745,000	807,841
III. Supplies and services			
(i) Stationery and office supplies .....	40,000	46,000	45,182
(ii) Operational supplies and services .....	880,000	1,108,000	1,295,001
IV. Communications services .....	35,000	42,000	34,047
V. Freight, cartage and express .....	490,000	515,000	393,896
VI. Insurance .....	2,000	2,000	668
VII. External audit .....	13,000	13,000	13,000
VIII. Claims and adjustments .....	20,000	20,000	31,100
<b>TOTAL, section 2</b>	<b>3,372,800</b>	<b>4,054,000</b>	<b>3,917,412</b>
<b>SECTION 3. RENTAL OF PREMISES<sup>a</sup></b> .....	<b>198,000</b>	<b>169,000</b>	<b>166,873</b>
<b>SECTION 4. RATIONS</b> .....	<b>1,550,000</b>	<b>1,679,000</b>	<b>1,243,677</b>
<b>SECTION 5. WELFARE</b>			
<i>Chapter</i>			
I. Leave Centre .....	510,000	567,000	456,541
II. Recreational and sports supplies .....	29,000	29,000	28,100
III. Films .....	72,000	72,000	77,550

<sup>a</sup> Provision for "Reconditioning and maintenance of premises" previously included under section 3, chapter II, is now provided for under section 2, chapter III, item (ii), and section 6, chapter II.

Budget estimates for the period 1 January to 31 December 1961 (*continued*)

	1961 estimates	1960 budget	1959 expenses
United States dollars			
<b>Part A. Operating costs incurred by the United Nations (<i>continued</i>)</b>			
SECTION 5. WELFARE ( <i>continued</i> )			
<i>Chapter</i>			
IV. Live shows .....	28,000	28,000	28,132
V. Postage for personal mail .....	60,000	60,000	58,657
TOTAL, section 5	699,000	756,000	648,980
SECTION 6. NON-MILITARY PERSONNEL			
<i>Chapter</i>			
I. Salaries of international staff .....	713,000	694,000	742,518
II. Salaries and wages of locally-recruited staff .....	775,000	889,000	803,219
III. Common staff costs .....	136,000	132,000	135,194
IV. Travel and subsistence .....	288,000	312,000	269,455
TOTAL, section 6	1,912,000	2,027,000	1,950,386
SECTION 7. CONTINGENCIES .....	100,000	100,000	71,910
TOTAL, PART A	11,484,800	12,400,000	11,565,643
<b>Part B. Reimbursement of extra and extraordinary costs incurred by Governments providing contingents</b>			
SECTION 8. REIMBURSEMENT IN RESPECT OF EXTRA AND EXTRAORDINARY COSTS RELATING TO PAY AND ALLOWANCES OF CONTINGENTS .....	7,800,000	7,500,000	7,325,659
SECTION 9. REIMBURSEMENT IN RESPECT OF EQUIPMENT, MATERIALS AND SUPPLIES FURNISHED BY GOVERNMENTS TO THEIR CONTINGENTS .....	(pro memoria) <sup>b</sup> (pro memoria)		—
SECTION 10. REIMBURSEMENT IN RESPECT OF DEATH AND DISABILITY AWARDS ON BEHALF OF MEMBERS OF CONTINGENTS .....	100,000	100,000	58,190
TOTAL, PART B	7,900,000	7,600,000	7,383,849
GRAND TOTAL	19,384,800	20,000,000	18,949,492

<sup>b</sup> See paragraphs 7-10 above of the budget foreword.

## Detailed information on 1961 budget estimates

Part A. Operating costs incurred by the United Nations  
\$11,484,800

		United States dollars
SECTION 1. MILITARY PERSONNEL .....		3,653,000
<i>Chapter</i>		
I. Allowances .....		1,664,000
In accordance with the decision taken by the Fifth Committee of the General Assembly at its 541st meeting on 3 December 1956, provision is made for payment of an allowance to members of the Force for the purpose of meeting their incidental personal requirements.		
During 1961 the average daily strength of the Force is estimated at 5,300 officers and other ranks and the amount estimated for their allowances during 1961 is the same as the amount budgeted for 1960.		
II. Rotation of contingents .....		1,822,000
Governments contributing troops require rotations of their contingents at intervals which vary according to individual arrangements, and no change from the 1960 pattern of rotations is foreseen for 1961.		

*Part A. Operating costs incurred by the United Nations (continued)**United States dollars**Chapter*

While the amount estimated for the chapter during 1961 is \$57,000 more than the amount budgeted for 1960, this increase is the result of a transference to the chapter of certain costs in connexion with the rotations of the Canadian contingent which were included under section 2, chapter II (ii) Operation of aircraft, in the 1960 budget.

The detailed estimates for the cost of rotation movements during 1961 are as follows:

(i) Scandinavian contingents (Danish, Norwegian and Swedish)..... 500,000

Provision is made for two rotations of the three Scandinavian contingents by commercially chartered aircraft during 1961. Provision is also made for most of their baggage and equipment to be transported by sea but with a limited amount of baggage to be handled by special freight flights of the Norwegian Air Force.

The 1961 estimate, which is \$40,000 less than the amount budgeted for 1960, is based on the price paid for the latest rotation.

(ii) Yugoslav contingent ..... 192,000

Provision is made for two rotations of the Yugoslav contingent during 1961. The rotations are planned on the same basis as previous Yugoslav movements, with the major rotations by commercially chartered ship and advance parties travelling by Yugoslav aircraft. The estimate is based on actual 1959 costs and is the same as budgeted for 1960.

(iii) Brazilian contingent ..... 400,000

Provision is made for two rotations of the Brazilian contingent for 1961. The rotations are planned and estimated on the same basis as in previous years which involved the use of Brazilian military ships.

(iv) Canadian contingent ..... 515,000

The arrangements for the Canadian contingent provide a perpetual rotation plan over the entire year. Twelve rotation flights of North Star type aircraft will take place during the year and, in addition, use will be made of the regular weekly service flights for rotation purposes. The cost estimate is based on an hourly flight cost of \$243.23 for North Star planes. This hourly cost is based on the latest analysis of operating costs conducted by the Canadian Government and represents a reduction of \$10.70 per flight hour from the cost figure used in the 1960 estimates.

(v) Indian contingents ..... 175,000

Provision is made for one major rotation of the Indian contingent during the year. As in previous years, it is expected that the main body will travel by commercial ship at an estimated cost of \$130,000. Provision is also made for the rotation of approximately 125 men during the year, either by commercial sea or air as advance parties to the main group at an approximate cost of \$45,000.

(vi) Casual rotation ..... 40,000

Provision is made for the travel of military personnel from the mission area to the home country as distinct from regular rotation of contingents, when such travel has been approved by the Commander of the Force for the individual concerned because of incapacitation, or other compelling reasons. The 1961 estimated cost is the same amount as provided in the 1960 budget.

III. *Travel and subsistence* ..... 167,000

Provision is made to cover costs of travel and subsistence allowance payments to military personnel as follows:

(i) Travel ..... 12,000

The estimate provides for travel of military personnel within the area on official business by rail and occasionally by commercial aircraft. The estimate is \$2,000 less than expenditures for this purpose during 1959.

(ii) Subsistence ..... 155,000

Provision is made for the payment of subsistence allowances to military personnel at duty stations where they are not provided with quarters and rations at United Nations expense. The principal duty stations involved are as follows:

- (a) Beirut Office, Movement Control and Postal Units;
- (b) Cairo Office, Liaison Officer;
- (c) Pisa Office, Movement Control Unit;

## Part A. Operating costs incurred by the United Nations (continued)

United States dollars

(d) Port Said Office, Movement Control and Supply Units, Port Guard Platoon;

(e) Tel Aviv Office, Liaison Officers;

(f) Leave Centre—Beirut and Cairo, Leave Centre Commandant, administrative staff, and specialist staff including medical, provost and welfare.

The 1961 estimate for this chapter is \$19,000 less than the amount budgeted for 1960.

## SECTION 2. OPERATIONAL EXPENSES.....

3,372,800

## Chapter

## I. Purchase of equipment..... 319,600

## (i) Motor transport and heavy mobile equipment..... 172,500

As at 1 March 1960, the Force's holdings of self-propelled vehicles totalled 893, of which 616 were UNEF-owned and 277 were contingent-owned. The total vehicles held by the Force include: ¼-ton utility trucks, light and heavy cargo trucks, such as dump, petrol, water, wireless and refrigerator trucks, tractors, shop vans, cranes, special purpose equipment such as dozers, scrapers and rollers, and administrative vehicles such as small shuttle buses, passenger buses, standard sedans, small sedans, station wagons and ambulances.

Thirty-five per cent of the present holdings are vehicles manufactured between 1942 and 1954. Attrition and disposals, including the return to Governments of a small number of special vehicles which are no longer required by the Force, during 1960 and 1961 will occur largely from this group. It is estimated that the Force's holdings of vehicles will be reduced by the end of 1960 to a total of 819 and the 1961 purchase requirements are as follows:

	\$
19 trucks, light cargo .....	54,450
3 trucks, dump .....	17,450
1 truck, tractor 5-ton .....	20,500
45 small sedans (replace ¼ ton utility trucks) .....	38,200
1 truck, crane excavator .....	29,450
1 tractor, towing .....	12,450

The request for the forty-five small sedans relates to the decision to replace, as they wear out, the more costly ¼-ton jeep model with small sedans for light duty.

## (ii) Miscellaneous operational equipment..... 147,100

The provision made for miscellaneous operational equipment is \$123,000 less than the 1960 budget. It is intended during 1961 to further the development of standard scales which will serve as guides in controlling issues to the various units of the Force.

The types of miscellaneous equipment required are as follows:

(a) Quartermaster equipment, such as chairs, tables, desks, lamps, beds, wardrobes and similar items (\$65,000);

(b) Engineering equipment required in the maintenance of buildings and power generator stations (\$20,700);

(c) Medical and dental equipment, including diagnostic apparatus, hospital and operating room furniture, and an X-ray unit film mount (\$13,400);

(d) Tent requirements will be limited to thirty-five replacements in view of the programme of covering tent frames with asbestos type roof and fibre screening and the erection of sand block quarters (\$8,000);

(e) Signals equipment, including twenty-five manpack radio sets required for radio communication for all battalions at the battalion-company, company-platoon and patrol level (\$15,000);

(f) Miscellaneous equipment, such as water and fuel containers, fire fighting equipment, tool kits, office machinery and insect spraying equipment (\$25,000).

## II. Maintenance and operation of equipment..... 1,573,200

## (i) Maintenance and operation of motor transport, heavy mobile equipment and stationary engines..... 979,700

Provision is made for the operation and maintenance of approximately 925 self-propelled and trailer vehicles and for the maintenance and repair of stationary engines. The estimate, which is \$82,300 less than the 1960 budget, includes the following:

*Part A. Operating costs incurred by the United Nations (continued)**United States dollars**Chapter*

(a) Spare parts for vehicles and maintenance equipment have been decreased by \$18,500 in comparison with the 1960 budget (\$300,000);

(b) Contractual vehicle repairs are estimated to be the same as the 1959 expenditure, which was \$8,000 less than the 1960 budget. This item provides for major overhaul work by contractors in Gaza, Ismailia and Cairo, for which the Field Motor Repair Unit does not have the necessary equipment (\$112,000);

(c) Contractual repairs and spare parts for stationary engines, water plants and refrigerators are estimated to be slightly less than provided for in the 1960 budget and the amount of \$27,700 is requested;

(d) Petrol, oil and lubricants are estimated at \$540,000.

(ii) Operation of aircraft ..... 593,500

Air transport to meet logistical and operational requirements will continue to be provided by the Royal Canadian Air Force at hourly rates revised downward in October 1959 on the basis of a current analysis of costs incurred. This estimate, as in previous budget submissions, covers only the costs of operating governmental aircraft assigned to the Force.

(a) Regularly assigned Canadian aircraft comprise three Dakotas (DC-3 type) and four Otters (LC type) based at El Arish. Two Dakotas are used for carrying freight and a third is used for carrying troops and mail, and by the Commander within the area of operation and to the UNEF stations at Cairo, Beirut and Pisa. The annual cost of the Dakotas will be \$140,500 on the assumption that they will fly, as for 1960, an average of 130 hours a month at \$90.03 an hour, which is \$12.51 an hour less than the rate charged in 1959.

The four Otters are light craft used for reconnaissance duties over terrain not suitable for ground patrol and also for carrying personnel and supplies to areas where heavier planes cannot operate. The annual cost of the Otters will be \$60,500 on the assumption that, as for 1960, they will fly an average of 110 hours a month at \$45.60 an hour, representing a reduction of \$9.05 an hour from the rate previously charged.

(b) Shuttle service from Canada

The Canadian Government furnishes a North Star (DC-4 type) aircraft to make one round-trip weekly between Canada and El Arish for transporting supplies and personnel for UNEF. As in previous years, the operational costs between Canada and England are shared between UNEF and the Canadian Government, as the aircraft between these points is not used exclusively for UNEF. Based on a study made of the cargo and personnel transported during 1959 and the plan to utilize these flights for rotation purposes to a greater extent in 1961 than before, it is estimated that the pro rata shares of the total cost of these flights will be 65 per cent UNEF and 35 per cent Canadian Government during 1961. The 1961 estimated costs, based on an hourly rate of \$243.23 and exclusive of the amounts budgeted as rotation costs under section 1, chapter II, total \$370,000.

(c) Shuttle service from Scandinavian countries

Provision is made for the costs of five round-trips by C-119 aircraft operated by the Scandinavian countries between Pisa and El Arish, at a cost of \$4,500 per trip, to transport personnel and supplies of the Scandinavian contingents (\$22,500).

III. *Supplies and services* ..... 920,000

(i) Stationery and office supplies ..... 40,000

The estimate includes costs of office supplies, internal reproduction supplies and the printing of forms and cards. The amount requested is \$6,000 less than that requested in the 1960 budget.

(ii) Operational supplies and services ..... 880,000

Provision is made under this heading for all expendable supplies in the Quartermaster, engineering, medical, dental, ordnance, sanitation and other operational categories. The control of these items is based, whenever possible, on scales of issue constructed on experience of the Force and average issues when scales are not possible. The items involved include electrical supplies, expendable implements, barbed wire, concertina wire, burlap bags, small arms ammunition for training purposes, signal equipment components, including signal wire, cables and poles, welding supplies, paint, crockery and related items. The estimate includes the provision of building materials for reconditioning and maintenance of premises previously budgeted for under section III, chapter 2, which has been eliminated (\$622,000).

*Part A. Operating costs incurred by the United Nations (continued)*

United States dollars

*Chapter*

The estimate also provides for the following additional costs:

(a) Clothing and uniforms which the United Nations provides to members of contingents and Field Service personnel. Issues to members of contingents consist of berets, scarves, caps and summer uniforms. Field Service personnel receive as normal conditions of service, winter and summer uniforms. A limited number of local civilians, drivers and mechanics, cooks, etc. receive an issue of work clothing (\$160,000);

(b) Contractual personnel services, such as cobbling, tailoring, laundering and barber services. The estimate is based on 1959 expenditures and contractual arrangements for 1960 (\$80,000);

(c) Miscellaneous additional costs, which include furnishing of UNEF medals which are awarded to Force members who have served in the area for a minimum of three months, medal bars, sun glasses, cleaning of blankets, repair of tentage and furniture (\$18,000).

IV. *Communications services* ..... 35,000

Provision is made for communications costs incurred in New York, Geneva and all UNEF operational centres including those in Lebanon and Italy. These expenditures, as in previous years, include telephone services at all points in the area, a proportionate share of the costs of the regular radio link between New York and Geneva and the cost of the radio link between Geneva and Gaza. The estimate, which is \$7,000 below the amount budgeted for 1960, is based on the rate of expenditures incurred for 1959.

V. *Freight, cartage and express* ..... 490,000

The 1961 estimate is \$25,000 less than the amount budgeted for 1960.

VI. *Insurance* ..... 2,000

This provision covers the costs of commercial insurance required in connexion with transporting supplies and equipment which are not insured within the policy of self-insurance of the United Nations. The estimate includes third party liability insurance on UNEF vehicles assigned to offices outside the immediate UNEF area of operations.

VII. *External audit* ..... 13,000

Provision is made to cover expenses incurred by the Board of External Auditors in auditing UNEF accounts at Headquarters in New York and in Gaza. This amount is estimated at the same level as provided in the 1960 budget.

VIII. *Claims and adjustments* ..... 20,000

Provision is made to cover costs of individual claims against the United Nations for personal injuries, damage to property and other losses arising from traffic accidents and other effects of the operation of the Force. The amount provided in this estimate is maintained at the same level as in the budget estimates for 1960.

SECTION 3. *RENTAL OF PREMISES* ..... 198,000

Provision is made for the rental and related services of the following premises.

The estimates are based on actual charges being incurred as at 1 March 1960:

- |   |         |
|---|---------|
| (i) Living accommodations, messes, office space, warehouses, cold storage and other premises in the Gaza, Port Said, Cairo and Beirut areas.....  | 114,000 |
| (ii) Utilities, when not included in rental of premises .....   | 52,000  |
| (iii) Rental of land for camp and platoon sites, track and recreational playing fields is estimated at \$32,000 for 1961. To date, owners of land have submitted claims for rental with respect to approximately one-half of the land used by UNEF for operational and convenience purposes, but it is expected that the work of mapping of all land used by UNEF will be completed by mid-1960 and settlement will be reached on rates of payment for land actually utilized. At the completion of this work, it is expected that UNEF will be required to pay approximately \$32,000 yearly for the use of the lands..... | 32,000  |

SECTION 4. *RATIONS* ..... 1,550,000

The provision covers the costs of feeding the Force which includes the military Force members, the international staff, and the small number of local civilians

*Part A. Operating costs incurred by the United Nations (continued)**United States dollars*

assigned to posts where messing facilities are required. Improved methods for procurement of foods and implementation of improved systems of control, issuance and usage are reflected in a lower 1961 estimated average cost per ration per day of approximately \$0.80 per man as compared with the figure of \$0.90 used for 1960 budgeting purposes. Consideration has been given in this estimate to the fact that inventories of food on hand at the end of 1960 will have been reduced to the lowest practicable level and that in 1961 it will not be possible as was the case in 1959 to utilize excess stocks to reduce the amount expended for rations.

SECTION 5. WELFARE ..... 699,000

*Chapter*

I. *Leave Centre* ..... 510,000

The major project of the Force welfare programme, as in previous years, continues to be the Leave Centre.

Under UNEF regulations, members of the Force are entitled to spend one week, for every three months of service, at a leave centre which provides suitable facilities for rest and recreation. Transportation to the centres and board and lodging at hotels are provided by means of group contracts but all other costs are borne by the participants.

The leave centres, following the pattern established for 1960, will be located in Beirut during five summer months and in Cairo for the balance of the year at a cost estimated to be \$57,000 less than the 1960 budget.

The provision includes estimated costs of:

	\$
(i) Cairo Leave Centre based on 1960 contracts for hotels and transport	242,000
(ii) Beirut Leave Centre based on 1960 contracts for hotels and transport	268,000
	<u>510,000</u>

II. *Recreational and sports supplies* ..... 29,000

This provision for the cost of recreational and sports supplies will be supplemented by funds made available from profits of the Service Institute (Post exchange store).

III. *Films* ..... 72,000

This estimate provides, as in the past, for the rental of five films a week to be shown at the various recreation areas within the Force.

IV. *Live shows* ..... 28,000

The estimates, as in 1960, provide for eight groups of entertainers from different areas of the world to come to Gaza at approximately six-week intervals at an average expenditure per show of \$3,500.

V. *Postage for personal mail* ..... 60,000

This estimate provides for funds to cover the costs of personal mail of Force members. It is estimated that the costs will be the same as provided for in the 1960 budget.

SECTION 6. NON-MILITARY STAFF ..... 1,912,000

*Chapter*

I. *Salaries of international staff* ..... 713,000

Provision is made for the salaries of international staff comprising:

- (i) Those employed in the Field who were:
  - (a) Detailed from established offices, or
  - (b) Recruited for the Force in the professional or Field Service categories;
- (ii) Those employed at established offices to alleviate overloads caused by operations of the Force.

The number of international staff employed at established offices has been reduced from 31 to 26 while those employed in the Field remain at 100, although there have been variations in the categories making up the latter total as shown in the following manning table:

## Part A. Operating costs incurred by the United Nations (continued)

## MANNING TABLE OF INTERNATIONAL STAFF

Number of posts		Function	Internationally recruited	Detailed
1960	1961			
GAZA				
1	1	Commander .....	1	—
1	1	Chief Administrative Officer .....	—	1
1	1	Legal/Political Officer .....	—	1
1	1	Chief Finance Officer .....	—	1
1	1	Chief Procurement Officer .....	1	—
7	5	Administrative/Finance Officers .....	2	3
1	1	Systems Co-ordinator .....	1	—
2	2	Auditors .....	2	—
1	1	Welfare Officer .....	1	—
1	1	Information Officer .....	—	1
20	15	General Service .....	—	15
56	60	Field Service .....	—	60
—	—		—	—
93	90		8	82
PISA				
1	2	Administrative Officer .....	—	2
2	1	General Service .....	—	1
2	2	Field Service .....	—	2
—	—		—	—
5	5		—	5
BEIRUT				
1	1	Administrative/Finance Officer .....	—	1
—	1	General Service .....	—	1
1	3	Field Service .....	—	3
—	—		—	—
2	5		—	5
NEW YORK OVERLOAD POSTS				
8	7	Professional .....	—	7
18	17	General Service .....	—	17
—	—		—	—
26	24		—	24
GENEVA OVERLOAD POSTS				
5	2	Field Service .....	—	2
—	—		—	—
131	126		8	118
==	==		==	==

United States dollars

## Chapter

II. Salaries and wages of locally-recruited staff 775,000

Provision is made for the salaries and wages of locally-recruited staff comprising:

(a) Monthly paid administrative and technical staff, including accountants, administrative assistants, cashiers, interpreters, procurement officers, translators, welfare officers, projectionists, draughtsmen, engineering technicians, works supervisors, dispatchers, secretaries, stenographers, typists, general clerks, mess supervisors, storemen and messengers (\$351,260);

(b) Daily-paid artisans and labourers including bakers, fitters, carpenters, glaziers, tinsmiths, welders, plumbers, electricians, sign painters, mason/plasterers, painters, mechanics, butchers, waiters, batmen, drivers, greasers and the large group of unskilled labourers regularly required (\$372,740);

(c) Casual workers engaged intermittently as required to complete special projects such as the construction of new accommodations under the tent replacement programme referred to in section 2, chapter I, item (ii) (d), (\$51,000).

Considerable attention has been given to the administration of locally-recruited personnel during the past year and manning tables have been examined carefully with a view to utilizing this category of personnel to the greatest advantage in relation to higher cost military and internationally-recruited staff. Salary scales and allowances for locally-recruited staff are in accordance with local practices.

**Part A. Operating costs incurred by the United Nations (continued)**

United States dollars

*Chapter***III. Common staff costs . . . . . 136,000**

This estimate provides for dependency allowances, education grants and related travel, contributions to the Joint Staff Pension Fund and contributions to medical and other social insurances payable in respect of internationally-recruited staff, Field Service personnel and staff detailed to UNEF from Headquarters and other United Nations offices.

**IV. Travel and subsistence . . . . . 288,000****(i) Travel . . . . . 98,000**

Provision is made for the costs of travel and subsistence of non-military personnel of the Force and includes:

(a) Round-trip air travel to the mission area by international staff recruited for the mission and detailed personnel serving in the area. Provision is also made to cover costs of travel related to transfers between missions of the Field Service personnel and travel costs of field visits of senior staff from New York in connexion with the work of UNEF. It is considered that 1961 costs will approximate the amount budgeted for 1960. Savings attained through extending UNEF assignments for longer periods will be partially offset by authorization for a limited number of dependants to join staff in the field (\$90,000);

(b) Costs incidental to travel to and from mission area such as freight charges for the transportation of personal effects and other miscellaneous charges (\$8,000).

**(ii) Subsistence . . . . . 190,000**

This provision includes the cost of subsistence payments at established rates to personnel stationed at mission duty stations in the UNEF area of operations. These stations include Gaza, Port Said, Beirut, Pisa and Tel Aviv. The provision is \$20,000 less than the amount in the 1960 budget.

**SECTION 7. CONTINGENCIES . . . . . 100,000**

Provision is made for contingencies such as possible increase in costs for locally-procured goods and services arising from price increases and exchange rate variations; additional expenditures for construction arising from any necessary redeployment of troops within the area; and any other related unforeseen operation not provided for under these estimates required in the operation of the Force. Provision for claims from Governments in respect of death and disability of members of the Force, previously included in this section, is now included under part B, section 10.

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**Part B. Reimbursement of extra and extraordinary costs incurred by Governments providing contingents  
\$7,900,000**

---

United States dollars

**SECTION 8. REIMBURSEMENT IN RESPECT OF EXTRA AND EXTRAORDINARY COSTS  
RELATING TO PAY AND ALLOWANCES OF CONTINGENTS . . . . . 7,800,000**

This estimate relates to the reimbursements referred to in paragraph 88 of the Secretary-General's report on UNEF to the twelfth session of the General Assembly<sup>a</sup> and approved by the Assembly in resolution 1151 (XII) on 22 November 1957. It provides for the settlement of claims from participating Governments relating to expenditures incurred in respect of pay and allowances over and above those costs which the Governments concerned would in any event have been obliged to meet. The estimate for 1961 for this section is based on the latest claims of participating Governments.

**SECTION 9. REIMBURSEMENT IN RESPECT OF EQUIPMENT, MATERIALS AND SUPPLIES  
FURNISHED BY THE GOVERNMENTS TO THEIR CONTINGENTS . . . . . (pro memoria)**

In accordance with the principles set forth in paragraph 91 of the Secretary-General's report referred to under section 8 above<sup>a</sup> and approved by the General Assembly in resolution 1151 (XII), the United Nations has assumed financial responsibility for the replacement of equipment that is destroyed or worn out and for such deterioration, beyond that provided for under normal depreciation sched-

<sup>a</sup> Official Records of the General Assembly, Twelfth Session, Annexes, agenda item 65, document A/3694.

**Part B. Reimbursement of extra and extraordinary costs incurred by Governments providing contingents (continued)***United States dollars*

ules, as can be assessed at the conclusion of the total period of service of a Government's forces. Although recognizing that obligations under this budget section will increase with the usage and age of contingent-owned equipment, no specific amount is proposed at this time for inclusion in the 1961 budget. The Secretary-General, in the belief that the General Assembly at its fifteenth session will wish to re-examine its original policy of deferring reimbursements for these purposes, expects to refer to this matter in the report he will submit to the General Assembly on the operation of the Force.

SECTION 10. REIMBURSEMENT IN RESPECT OF DEATH AND DISABILITY AWARDS ON BEHALF OF MEMBERS OF CONTINGENTS . . . . .

100,000

In accordance with the principles set forth in part III, item 6, of the Secretary-General's report referred to under section 8<sup>a</sup>, provision is made for compensation in respect of the injury or death of members of the Force. Payments to beneficiaries are made by the Governments concerned, which in turn lodge claims with the United Nations.

**DOCUMENT A/4409**

**Budget estimates for the financial year 1961: report of the Advisory Committee on Administrative and Budgetary Questions**

[Original text: English]  
[21 July 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the budget estimates which the Secretary-General has submitted in respect of UNEF for the period 1 January to 31 December 1961 (A/4396) on the assumption that the Force will be continued for that time on its present basis.

2. The estimates show a reduction of \$615,200 below the total of \$20 million approved for 1960. Part A, relating to the operating costs of the Force, indicates a decrease of \$915,200. This is offset in part by an increase of \$300,000 under part B for reimbursement to Governments in respect of extra and extraordinary costs relating to pay and allowances and service-incurred death and disability awards.

3. The Advisory Committee is encouraged by the economies achieved in respect, particularly, of such operating expenses as the purchase, maintenance and operation of equipment; supplies and services; communications services; freight, cartage and express; and rations. Estimated costs for the Leave Centre, salaries and wages of locally-recruited staff, and travel and subsistence of non-military personnel, also show important decreases.

4. The Advisory Committee has again inquired into the position under section 9, in part B of the budget, which relates to compensation for equipment, material and supplies furnished by Governments to their contingents. It will be recalled that a reserve of approximately \$6 million has been built up in the accounts for the purpose of such payments which, in accordance with General Assembly resolution 1151 (XII), would be made at the conclusion of the total period of a Government's participation in the Force. In view of the unsatisfactory cash position of the Special Account from the outset, this reserve, up to the present, has not been represented by actual cash.

5. In the 1960 budget, as in the case of the present estimates, no specific dollar amount is provided under

section 9. By resolution 1441 (XIV) the General Assembly decided, however, that if Member States did not avail themselves of credits deriving from the \$3,475,000 of special financial assistance which had been pledged voluntarily for the Force in respect of 1960, the amounts so released would be credited to the reserve for compensation payments. To date only four Governments (Australia, Belgium, the Netherlands and Norway) have definitely renounced the credit, in whole or in part; some others are understood to be giving the matter serious consideration. The Advisory Committee would point out, nevertheless, that the above device would at best meet the problem only partially.

6. During the three and a half years of the existence of the Force, substantial claims for loss or deterioration of Government-owned equipment and supplies have accrued, in spite of every effort during the more recent period to keep the Organization's liabilities for such reimbursement to the lowest possible level by equipping and providing contingents as much as possible with UNEF-owned rather than contingent-owned equipment and supplies. Since many of the claims in question have not yet been received and others are in the process of being re-examined, it is difficult to present an accurate estimate of the total liability involved to date.

7. The Advisory Committee notes that the Secretary-General has indicated (A/4396, para. 9) that, in his report to the fifteenth session of the General Assembly on the Force, he intends to ask the Assembly to reconsider the original reimbursement policy, approved at its twelfth session, which defers reimbursements to the Governments concerned until the conclusion of the total period of service of its contingents in UNEF. Without anticipating any recommendations which the Secretary-General might make in this respect, the Committee would point out that, before any settlements under this heading could be made, it would be necessary to accumulate actual cash in the reserve approved for this

purpose. A mutually acceptable basis of compensation to Governments would also need to be worked out.

8. The deterioration of the over-all cash position of the Organization, principally as a result of unpaid assessments in respect of UNEF, is the subject of comment in the Advisory Committee's report<sup>3</sup> on the 1961 budget estimates of the United Nations. The Committee also draws attention in paragraph 9 below to the unsatisfactory financial position of the UNEF Special Account, which is making it increasingly difficult for the Force to meet its financial obligations. Subject to those observations, and should the General Assembly decide on the continued functioning of the Force, the Advisory Committee would concur in the estimate of \$19,384,800 proposed by the Secretary-General, and would recommend an appropriation in that amount for the purposes of assessment. The Committee would suggest, nevertheless, that every effort should be made, in the interests

of the most economical administration of the Force, particularly in view of the difficult financial situation, to keep expenditures in 1961 within a target total of \$19 million, which is slightly above actual 1959 expenses.

#### CASH POSITION OF UNEF SPECIAL ACCOUNT

9. The Secretary-General states in paragraph 10 of his foreword to the 1961 estimates for the Force (A/4396), that he will deal in his report to the General Assembly with the over-all financial situation in respect of the Force. In the meantime, the Advisory Committee has noted with concern that on 30 June 1960 there was a total of \$24,341,462 remaining unpaid in respect of UNEF assessments for the period from the inception of the Force to 1960, representing 32.4 per cent of the total assessments for that period. On the same date, unpaid UNEF liabilities amounted to more than \$18 million.

<sup>3</sup> Ibid., *Fiftieth Session, Supplement No. 7.*

## DOCUMENTS A/4486 AND ADD.1 AND 2

### Progress Report of the Secretary-General on the Force

#### Document A/4486

[Original text: English]  
[13 September 1960]

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#### Introduction

1. This report, submitted in pursuance of General Assembly resolution 1125 (XI), paragraph 4, covers the functioning of the Force since 10 September 1959 when the last report on UNEF<sup>4</sup> was presented by the Secretary-General to the General Assembly. The new period covered has again been one of continuing quiet,

and thus little more than a routine report is called for at this time.

2. It is the chief characteristic of UNEF, whose functions have become largely routine, that its presence is a major factor in the maintenance of peace and quiet in the area, while its absence would, in the judgement of all concerned with it, be likely to result in a recurrence of dangerous border disturbances and violence. It also continues to be true that any substantial reduction in strength below its present level would make it

<sup>4</sup> Ibid., *Fourteenth Session, Annexes*, agenda item 28, document A/4210.

impossible for the Force to carry out adequately its existing responsibilities.

3. Financing the Force is still a most serious problem, which is dealt with specifically in part B of this report.

## A. Organization and functioning of the Force

### I. EFFECTIVENESS AND ORGANIZATION

4. The Secretary-General informed the General Assembly on 3 December 1959<sup>5</sup> that the then Commander of the Force, Lieutenant-General E. L. M. Burns, had requested permission to hand over his command and to return to national service, having served as Commander of the Force since its inception on 5 November 1956, and having earlier served the United Nations from 9 August 1954, as Chief of Staff of the United Nations Truce Supervision Organization in Palestine. Paying tribute to the distinguished service rendered to the United Nations by General Burns, the Secretary-General submitted to the General Assembly for its approval the appointment, as the new Commander of UNEF, of Major General (now Lieutenant-General) P. S. Gyani of the Indian Army as successor to General Burns. The General Assembly, in its resolution 1442 (XIV), expressed its appreciation of the excellent leadership of General Burns and approved the appointment, on the existing terms, of General Gyani, who took over his duties as Commander on 28 December 1959.

5. In the period under review, such incidents as have occurred have been of a relatively minor nature although many of them, in the absence of a restraining influence, might easily have got out of hand and developed into threatening situations.

6. As a consequence of the formation of the United Nations Force in the Republic of the Congo (ONUC), the Swedish battalion with UNEF was sent to the Congo on 19 July 1960 on a temporary assignment for a period of one month. This move was completed within seventy-two hours after the request from the Secretary-General was received by the Commander of UNEF and within forty-eight hours after approval of the transfer had been received from the Government of Sweden. Subsequently, it was decided that this battalion, to the extent that its personnel would volunteer to do so (as most of them did), would remain in the Congo for the rest of its tenure and that a new battalion from Sweden would take its place in UNEF. The Swedish Government agreed to provide the new battalion by the end of September. This reduction in the strength of UNEF by one battalion was accepted by the Commander as an emergency measure only. Subsequently, it was agreed that approximately 100 members of the Swedish battalion who had not volunteered to serve in the Congo for the longer period agreed upon by the Swedish Government, would be organized into a self-contained company and would return to UNEF for the remaining period of their contract. They have returned. Thirteen UNEF officers were also deputed to ONUC for staff duties on loan for a period of one to two months.

7. To meet the temporary reduction indicated above, the deployment of the Force was adjusted as follows: the armistice demarcation line sectors vacated by the Swedish troops were taken over by one company of

Danish/Norwegian battalion (DANOR) and one company of the Indian battalion 4 Kumaon. Guards and detachments were relieved by one company of the Brazilian battalion and detachments from the Yugoslav battalion. This involved substantial curtailment of leave and burdensome increases in the hours of duty details, with no troops available for relief or as reserves in emergencies.

8. The basic organization, stationing and functioning of the Force has otherwise remained the same except for a minor change in the organizational set-up of the logistics and procurement sections of the Force headquarters. There was no change in the actual strength, but the revised set-up ensured more rapid action and better administration with regard to procurement, stock-keeping and issue of material.

9. The over-all strength of the Force has been maintained at approximately 437 officers and 4,904 other ranks. The countries participating in the Force continue to be the same: Brazil, Canada, Denmark, India, Norway, Sweden and Yugoslavia.

10. The deployment and strength of the Force as established in 1959, was found to be still satisfactory. An additional post was established in the Yugoslav sector at the Taret Umm Basis hill on the Abu Aweigila-El Auja road. Owing to the increased activity of the armed forces of the parties closer to the border areas, patrolling by the Canadian reconnaissance squadron and the Yugoslav reconnaissance battalion had to be intensified. As a result of the experience over the year, it is confirmed that the present strength of the Force is the minimum possible compatible with the task of guarding and patrolling the Armistice Demarcation Line/International Frontier, protective duties in the camps, and the requirements of logistic support.

11. The strength, organization and function of the 115 Air Transport Unit (RCAF) remained unchanged during the year. The unit aircraft strength is three Dakotas and four Otters, but it has been decided to reduce the Otter strength by one aircraft. The squadron is based on El Arish airfield, which is jointly occupied and operated by UNEF and the United Arab Republic Air Force. Any difficulties that arise are resolved through the mutual consultation and co-operation of the UNEF and UAR Air Force commanding officers. The deteriorating condition of the two macadam runways used by UNEF at El Arish air station has caused some concern during the year and has necessitated a continuous patching programme.

12. The numerical strength of each national contingent as at 1 August 1960 was as follows:

Contingents	Officers	Other ranks	Total
Brazil . . . . .	41	591	632
Canada <sup>a</sup> . . . . .	87	845	932
Denmark . . . . .	42	523	565
India <sup>b</sup> . . . . .	74	1,172	1,246
Norway <sup>c</sup> . . . . .	86	515	601
Sweden <sup>d</sup> . . . . .	36	620	656
Yugoslavia . . . . .	71	638	709
TOTAL	437	4,904	5,341

<sup>a</sup> Including personnel of the Royal Canadian Air Force 115 Air Transport Unit stationed at El Arish (99, all ranks).

<sup>b</sup> Including administrative troops (255, all ranks).

<sup>c</sup> Including personnel of the Norwegian-manned UNEF hospital (119, all ranks).

<sup>d</sup> The Swedish battalion, now serving with the United Nations Force in the Congo, will be replaced by a new Swedish battalion by the end of September 1960.

<sup>5</sup> *Ibid.*, document A/4210/Add.1.

13. There has been no change in the policy of the contributing nations with regard to the period of duty with UNEF and, except for the logistic support units of the Canadian contingent, the procedure for rotation has been the same. It was decided that, with effect from March 1960, the change-over of the Canadian logistic personnel should be spread over the year, as this would ensure better continuity. Consequently, these personnel are not now rotated by complete units once a year but individually throughout the year. This will not affect the rotation of the Canadian reconnaissance squadron which will continue to be carried out once a year during February.

14. The rotation of Swedish, Danish and Norwegian personnel was carried out by using chartered commercial aircraft of the Sabena Airline flying in to El Arish. Each rotation took approximately one month. One half of the Brazilian contingent was rotated during October 1959, the other half during June 1960. In each case, a Brazilian naval vessel was used to carry the troops. The main body of the Canadian contingent was rotated during September, October and November by twenty special flights of RCAF North Star aircraft. The Canadian reconnaissance squadron was rotated during February 1960 by four special North Star flights. With the exception of a small advance party transported by a chartered aircraft, the Indian contingent's rotation was carried out in December by a commercial vessel chartered by the Government of India. The Yugoslav contingent was rotated in a chartered commercial vessel during November 1959 and May 1960. A small advance party was transported each time by Yugoslav military aircraft.

15. Since the inception of the Force, the various contingents have been rotated as follows:

Canada, India: three times (yearly rotation)

Brazil: six times (yearly basis, with half the contingent rotating each six months)

Denmark, Norway, Sweden, Yugoslavia: seven times (half-yearly rotation)

## II. DEPLOYMENT AND DAILY ROUTINE

16. The deployment of UNEF continues to be along the western side of the Egypt-Israel armistice demarcation line (ADL)<sup>6</sup> and the international frontier (IF), south of the Gaza Strip. These two lines total 273 kilometres in length. The Force also watches, mainly by air patrolling, the coastline of the Sinai Peninsula from the northern end of the Gulf of Aqaba to the Straits of Tiran, a further distance of 187 kilometres. A total of seventy platoons, varying in strength from eighteen to thirty-four all ranks, are available for patrol and guard duty on the ADL, IF and elsewhere. Of these, forty-five and one half platoons are employed on the ADL and IF, ten platoons are employed on guard and protective duties, and the remaining fourteen and one-half platoons are held in reserve. In addition, four Otter aircraft are employed on air reconnaissance duties. The total number of officers and men actively employed on these duties, including personnel at company headquarters, is about 2,650. These troops are exclusive of administrative and ancillary troops held on the strength of the units.

<sup>6</sup> See General Assembly resolution 1125 (XI), para. 3.

	Total number of platoons/ troops available for duty	Number of platoons/ troops employed on the ADL/IF	Number of platoons/ troops employed on guard/ protective duties	Number of platoons/ troops in reserve	Average strength per platoon/ troop
DANOR battalion . . . . .	19	11	4	4	34
Swedish battalion . . . . .	12	6	5	1	34
4 Kumaon . . . . .	12	9	—	3	35
Brazilian battalion . . . . .	12	9	—	3	35
Reconnaissance squadron Fort Garry Horse . . . . .	3	2½	—	½	18
Yugoslav reconnaissance battalion . . . . .	12	8	1	3	29
115 Air Transport Unit . . . . .	{ Aircraft employed on transport duties . . . . . 3 Dakotas Aircraft employed on reconnaissance duties . . . . . 4 Otters				

NOTE: Platoons/troops referred to above are exclusive of administrative and ancillary troops held on the strength of units. The total number of officers and men actively employed including personnel at company headquarters is about 2,650.

17. The system of observation and patrolling now in operation is that, along the armistice demarcation line, the entire length is kept under constant observation by day by a series of inter-visible sentry posts. There are seventy-three such posts. These are manned by two sentries each at a time, and they are in telephonic communication with their platoon camps in the rear, each of which, besides being responsible for providing relief at regular intervals, holds a reserve detachment on call to assist the sentries when the need arises. The tour of duty of the sentries is six hours and the individuals take turns within this period. The mobile reserve at platoon or company headquarters is designed to reach the troubled spot within ten to fifteen minutes after being summoned. This support is needed, for example, when suspected infiltrators are armed or try to evade

a sentry when ordered to stop and the two sentries cannot deal with them.

18. By night, observation posts are withdrawn and vigorous patrolling is carried out along the armistice demarcation line and the roads and wadis likely to be used by infiltrators. Normally, each sector is patrolled by at least three patrols every night. They are out for from three to five hours. A system of flare signals enables patrols to call for help from the reserve at platoon/company headquarters when necessary. This is supplemented by radio communication, which keeps the respective commanders informed of activities of the patrol. All patrols along the armistice demarcation line move on foot.

19. Along the international frontier, rough terrain and scattered uncleared mine-fields restrict the pos-

sibility of crossing in many portions. Only certain areas are so sensitive as to require constant patrolling and observation. Eight outposts, two in the Canadian sector and six in the Yugoslav sector, are located from nine to eighty kilometres apart on the principal access roads into the Sinai. The strength of each of these is approximately one platoon. Each outpost provides an observation post covering the access and also up to two vehicle patrols every day which cover the area between the posts and certain tracks leading to the frontier. Mobile reserves can be dispatched speedily to any trouble spot from the nearest camp located along the international frontier. In addition, the whole length of the international frontier is patrolled from the air by Otter aircraft at least three times a week. A system of wireless communication links the Canadian reconnaissance squadron and the Yugoslav reconnaissance battalion with the aircraft on patrol, as well as with the Brazilian battalion, which is deployed along the adjoining portion of the armistice demarcation line.

20. A detachment of approximately two platoons in strength is located at Sharm-el-Sheikh to keep the area of the Straits of Tiran under constant observation.

21. The detailed deployment of units along the armistice demarcation line and the international frontier is shown in the following sub-paragraphs.

#### (a) Gaza Strip

The deployment of battalions from north to south is as follows:

(i) *Sector 1* (from the sea to Gaza-Beersheba road)—DANOR battalion. Battalion headquarters is two kilometres east of Gaza. Four companies man twenty-two observation posts along an eighteen-kilometre sector of the ADL. Watching the extension of the ADL into the sea for violations of territorial waters is also one of their tasks.

(ii) *Sector 2* (from Gaza-Beersheba road to Wadi Ghazza)—Swedish battalion. Battalion headquarters is in Gaza. Two companies man fourteen observation posts along a sector of the ADL eleven kilometres in length. This battalion also guards the Gaza airstrip.

(iii) *Sector 3* (Deir-el-Balah)—Indian battalion. Battalion headquarters is at Deir-el-Balah. Three companies cover a twelve-kilometre sector of the ADL with eighteen observation posts. A fourth company, at Khan Younis, is kept as a force reserve.

(iv) *Sector 4* (Khan Younis, Rafah)—Brazilian battalion. Battalion headquarters is at Rafah. Two and a half companies provide nineteen observation posts to observe this eighteen-kilometre sector of the ADL.

#### (b) International Frontier

The Canadian reconnaissance squadron and the Yugoslav reconnaissance battalion are deployed along the IF as shown below:

(i) *Canadian reconnaissance squadron*. Squadron headquarters is located in the UNEF maintenance area at Rafah. This squadron is responsible for the sector extending from the ADL/IF junction to the Abu Aweigila-El Auja road. Two permanent outposts are established in this area.

(ii) *Yugoslav reconnaissance battalion*. Battalion headquarters is at El Arish. The Yugoslav sector from the Abu Aweigila-El Auja road to the Gulf of Aqaba is kept under observation from sentry posts and by

patrols emanating from permanent outposts established at Taret Umm Basis, El Amr, El Quseima, El Saba, El Kuntilla and Ra's an Naqb.

#### (c) Guards and detachments

(i) *Headquarters UNEF and other commitments in Gaza*. One company of the Swedish battalion located at Gaza provides these guards.

(ii) *UNEF maintenance area, Rafah*. About four platoons are employed on guarding the perimeter of the UNEF maintenance area. A number of sentries and patrols are needed to carry out the task. This commitment is rotated between the DANOR and Swedish battalions every three months.

(iii) *Sharm-el-Sheikh*. About two platoons are committed to the task of watching over the Straits of Tiran and observing all shipping passing through the Straits. This commitment is rotated between the Swedish and DANOR battalions every three months.

(iv) *Port Said*. About one platoon is employed on guard duties at the UNEF port warehouse. The commitment is rotated between the Swedish and DANOR battalions every three months.

(v) *UNEF Air Station, El Arish. Airfield*: a platoon from the Yugoslav reconnaissance battalion is employed for guard duties. *Air Force quarters, Marina*: about one platoon is employed on guard duties. The commitment is rotated between the Swedish and DANOR battalions every three months.

### III. INCIDENTS

22. As reported from all sources, the type and number of incidents which occurred between 1 August 1959 and 31 July 1960 are shown on page 17.

23. Based on figures from UNEF headquarters, which include complaints presented by both parties as well as observations made independently by UNEF troops, a total of 262 violations of air space by identified aircraft and a total of fifty-seven such violations by unidentified aircraft occurred during the period 1 August 1959 to 31 July 1960. Of these, nine were by aircraft of the United Arab Republic overflying on the Israel side of the line; the others involved Israel aircraft overflying the Gaza Strip and the Sinai Peninsula. All the instances of unidentified aircraft also involved overflights on the United Arab Republic side. Of the identified planes, 229 were observed by UNEF troops, six were reported by the United Arab Republic and confirmed by UNEF, and twenty-seven were reported by the United Arab Republic but not confirmed by UNEF. Of the observed violations by Israel aircraft, 146 were overflights in the north-east corner of the Gaza Strip by aircraft coming from the Israel aerodrome of Wadi Shara. It has been found in practice that when even a strong representation is made, thereafter such overflights decrease considerably in number only to increase again when the effect of the representation has worn off. However, when compared with the total of 374 such violations reported in the previous year, a considerable decrease is noted.

24. In the same period, seventy-six violations of territorial waters were observed, apparently by fishing boats for the most part. Of the total violations, forty were by boats moving from Israel waters into United Arab Republic waters and thirty-six by boats moving from United Arab Republic waters into Israel waters.

Type of incident	Occurrences by month <sup>a</sup>											
	1959					1960						
	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July
Crossing of ADL/IF involving firing . . . . .	1	0	0	0	0	0	1	0	0	1	0	1
Firing across ADL/IF . . . . .	1	1	0	0	1	0	0	0	1	1	1	0
Crossing of ADL/IF involving theft or occasionally kidnapping	0	1	3	0	0	8	12	7	2	8	5	4
Crossing or attempted crossing of ADL/IF not involving firing, theft or kidnapping . . . . .	7	10	13	12	46	38	49	40	31	24	30	24
TOTALS	9	12	16	12	47	46	62	47	34	34	36	29

Total incidents: 384

<sup>a</sup> Based on figures from UNEF headquarters, which include complaints presented by both parties as well as observations made independently by UNEF.

The total of 384 incidents reported for the twelve months' period may be compared with the 137 which occurred in the corresponding period covered by last year's report. While there has been a marked increase in the number of incidents re-

ported, all but a very few of these have been of a minor nature. Of this year's total, 304 were confirmed by UNEF; eight were reported by the United Arab Republic, and investigated by the Egypt-Israel Mixed Armistice Commission (EIMAC); and seventy-two were reported by Israel to the UNEF Liaison Officer, Tel Aviv, but were not investigated or confirmed by either EIMAC or UNEF.

Compared with the 113 violations reported last year, this type of activity has now decreased considerably.

25. No incidents involving mines occurred during the period under review.

#### IV. WELL-BEING

26. The general state of well-being of the Force continues to be very good. Statistical information makes it apparent that since the inception of the Force there has been consistent improvement in its health record.

27. During the year, one occurrence of an epidemic due to acute hepatitis was observed in one battalion only. It was possible to trace the source back to a cook and the epidemic was immediately brought under control. Particular emphasis has been given to improved hygiene and water supply. Priority was given to all engineering works and repairs involving hygiene.

28. The main causes of hospitalization have been: gastro-intestinal disorders, broncho-pneumonia, common colds, surgical cases of injuries from vehicle and other accidents, appendicitis, hernia, haemorrhoids, and non-malignant tumours.

29. On 26 October 1959, fire completely destroyed the UNEF hospital. All its equipment, except for a mobile X-ray unit, was lost. Thanks to the efforts of Norwegian and Canadian personnel, the thirty-two patients in the hospital at the time of the fire were evacuated without injury. The rescued patients were moved to temporary quarters pending the arrival of a Norwegian light field hospital. The field hospital arrived in El Arish on 29 October 1959, was ready for operation on 30 October, and continued in operation pending the construction of a new hospital building. The new UNEF hospital was opened in early July 1960.

30. The new UNEF hospital, staffed entirely by a medical company from Norway, is located within the administrative area at Rafah. The commanding officer is also the chief surgeon. It is designed to function on the basis of a field hospital, with certain modifications of more static character so that it can cope with all cases except those requiring very specialized treatment. It also has the necessary facilities for the care of convalescent cases.

31. This arrangement ensures that evacuation of patients for treatment outside the UNEF area and their admission to civil hospitals is reduced to the minimum. During the period 1 August 1959 to 1 August 1960, 392 cases were admitted to the UNEF hospital and forty cases requiring specialized treatment were hospitalized outside the area.

32. Patients with chronic illnesses are repatriated to their home countries on the recommendation of a UNEF medical board. During the period under review there were forty-one such cases.

33. In addition to military personnel, 245 civilian patients were admitted to the UNEF hospital from 1 August 1959 to 1 August 1960. Of these, 101 were United Nations staff members and local UNEF employees, while the remaining 144 were local inhabitants. Occasionally, local inhabitants from remote areas who have requested UNEF personnel on patrol for assistance have also been treated at the hospital.

34. Minor cases not requiring admission to hospital are cared for by the unit medical officer of each contingent. Dental treatment is also the responsibility of the unit dental officers.

35. There were eleven fatalities during the year, bringing the total since the inception of the Force to forty-five. They have been caused, as was the case in previous years, from encounters with mines, accidental shootings, and traffic accidents. The most serious single accident was a collision at an unguarded railway crossing at night, involving a UNEF truck and a railway locomotive. Casualties were two dead and nine seriously injured. The above figures also include five deaths due to thrombosis and other diseases.

36. The high morale of the Force has continued. Important factors in this condition are the provision by UNEF of leave centres in Lebanon and Cairo and the welfare programme, which embraces a number of activities, especially sports and athletics.

37. The Leave Centre at Cairo opened on 1 November 1959, and closed on 24 April 1960, during which period 361 officers and 5,562 men spent their leaves at the Centre. A comprehensive programme of conducted tours to places of interest and entertainment was organ-

ized by the welfare officer at the Centre. It was voluntary but most men availed themselves of it.

38. The Leave Centre in Lebanon, with a capacity of twenty officers and 260 other ranks, reopened on 16 May 1960. The hotels are located at Broummana in the hills, fifteen miles from the town of Beirut, and leave personnel are transported there from El Arish in chartered aircraft making a maximum of ten flights per week and carrying twenty-eight passengers per flight.

39. Special tours at individual expense were organized to Jerusalem, Petra, Luxor, Cairo and Alexandria. The Jerusalem tours are the most popular and transport for these is arranged in chartered aircraft.

40. Games and sports within the units are organized by unit commanders as part of the recreation programme. Facilities for extensive outdoor and indoor sports programmes are being continually improved. All athletic, recreational and welfare equipment is supplied by UNEF through its headquarters welfare section. Some of the funds derived from the Service Institute have been used to improve recreational facilities. Two entertainments were organized from the talent available within UNEF. These were highly successful and included representatives from all the contingents. Four live shows have been held to date in this year. Ingemar Johansson gave boxing exhibitions to all the units. The brass band of the Indian battalion visits the different contingents from time to time, and a special programme of concerts at all the units was organized by the Royal Canadian Dragoon Band, sent from Germany for a fortnight. Entertainment films are shown regularly to all troops. These include French, Italian, Greek, Scandinavian and Spanish, as well as American, films. A central library containing hard-cover books, pocket books and magazines is maintained by the welfare office. Most units also maintain their own libraries and books are distributed to them from central stocks.

41. A special programme of church services and festivities was organized at Christmas and Easter. Arrangements were made for the provision of Christmas trees and decorations. The contingents have their own chaplains (Pandits for Indian troops) and services are held regularly.

## V. LOGISTICS

42. The emphasis during the past year has been on a very thorough survey of the logistic cover required for the Force as well as on the operating procedure. The Force has been in operation for nearly four years and it became apparent that it was necessary to plan replacements of equipment and stores which would become unserviceable due to normal wear and tear. Another major item for consideration was tentage used for accommodation which required replacement. In order to ensure utmost economy in this respect, various committees were appointed to review the detailed requirements, and, where necessary, to revise the authorized scales both in the units and in the depots. Following is a summary of the action taken on the main logistics points.

### (a) Reorganization

43. The logistics structure was reorganized to expedite the requisitioning and control of vital items of supplies and equipment to units. A movement control organization, with detachments at the main sea-ports and air-heads, was created and staff provided principally

from the manpower made available as a result of the reorganization of the Canadian Transport Company.

### (b) Equipment

#### (i) Vehicles

44. Detailed surveys were made of the Force holdings of vehicles and requirements by the units. The scales now proposed will result in a reduction in unit holdings of approximately ninety vehicles and sixty trailers. This proposal has been taken into account in planning the procurement of vehicles during 1960. All models manufactured prior to 1946 are being replaced by newer vehicles which will reduce the maintenance and operating costs considerably. It has also been decided to standardize the types of vehicles for use by UNEF. Discussions and negotiations are now under way to dispose of armoured and scout cars which are surplus to the operational requirements of the Force.

#### (ii) Communications equipment

45. VHF wireless equipment, providing five speech channels, was procured and installed during the year for communications between UNEF headquarters in Gaza and the maintenance area in Rafah. Duplicate equipment is being ordered as an emergency back-up for the existing units which will eliminate the need for the land line which has not been working satisfactorily. This arrangement has resulted in the reduction of thirty personnel in the Canadian Signal Unit and also the saving of the heavy rental being paid for the land line.

#### (iii) Medical equipment

46. The medical equipment for the hospital was initially provided by the Norwegian medical company. Action has now been taken to formulate a scale of medical equipment, drugs and stores appropriate to the special requirements of a UNEF hospital. The policy now is that the entire hospital property should be UNEF-owned. This is being implemented by acquiring through purchase as much as possible of the Norwegian equipment and procuring the remainder in the normal way.

#### (iv) Ordnance stores

47. All aspects of the requisitioning, holding and issue programme have been investigated with a view to reducing the lead time now required to obtain stores required for the efficient operation of the Force. This would result in reducing the depot stock levels.

#### (v) Fire-fighting equipment

48. Surveys have now been completed and a suitable scale of issue of fire-fighting equipment has been drawn up to meet the requirements of each unit and type of accommodation. Requisitioning action has been taken on the deficient items.

#### (vi) Contingent-owned equipment

49. Continued action is being taken to reduce the number and quantity of contingent-owned items of equipment in the Force. A standardized procedure for disposal is now under discussion.

### (c) Accommodation

#### (i) UNEF hospital

50. A serious fire at the end of October almost completely destroyed the tents and medical equipment

of the UNEF hospital. The Norwegian Government immediately dispatched all the necessary equipment and stores required to replace the loss and the hospital was temporarily located in improvised accommodation. New hatted accommodation has now been constructed in Rafah and the hospital was moved into it in early July 1960. The hospital includes facilities for X-ray, bacteriological and clinical laboratories, pharmacy, operating theatre and minor surgery room and the necessary wards for fifty patients.

(ii) *Guard company camp—Rafah*

51. As the original accommodation for the guard company at Rafah was utilized as part of the new hospital, another camp to house six officers, twelve NCO's and 120 men at the maintenance area was completed early in July 1960.

(iii) *Land claims*

52. The maintenance of records of lands and buildings utilized by the Force, the examination of claims and arrangements for compensation to private owners, were thoroughly investigated and brought up to date.

(iv) *Tent replacement programme*

53. It has been decided to replace all unserviceable tents in the Force by standard masonry huts in the headquarters area and by a new weatherproof type of roof on the existing tent kit structures in the platoon and forward company areas. Both types are cheaper to provide and more economical to maintain than tentage which, owing to local climatic conditions, lasts on the average only eighteen months.

(v) *Kitchen improvement plan (KIP)*

54. A complete survey of all kitchens, preparation kitchens, and dining rooms has been made, resulting in a programme which will bring all kitchens and dining rooms to a minimum standard, and will ensure proper hygiene.

(d) *Water supply*

55. One of the main problems is the transportation of water required daily by platoon camps and outposts. The procedure now is to transport all the water in trucks and water trailers. In some cases, several trips have to be made each day. Owing to poor sandy tracks, this results in considerable wear and tear on the vehicles and excessive consumption of petrol. Consideration is now being given to the provision of bigger water storage tanks and the transportation of water in bulk in tankers.

(e) *Ration scales*

56. Contingent ration scales, which have been in effect since 1958, were completely reviewed during the year and minor changes were made to eliminate waste and to conform to contingent tastes and calorific values. Consumption of pack rations has been reduced and may be still further reduced in the near future as a result of surveys conducted. A revised system for the procurement of fresh fruit and vegetables, adopted 1 July 1960, will result in a further reduction of compulsory emergency holdings of canned goods of this type.

(f) *Petrol, oil and lubricants (POL commodities)*

57. Contract negotiations with POL supplier provided for a complete review of all storage and distribution facilities within the Force resulting in the installa-

tion of modern metering and dispensing equipment. To reduce the consumption of POL products, and consequently reduce the cost to the United Nations, a rationing programme was instituted late in 1959. The reduced figure was based on consumption over the previous three months and represented a decrease of approximately 20 per cent. However, this programme has not been too successful for a number of reasons, the main one being that as the vehicles increase in age, the mileage per gallon of petrol decreases proportionately. The programme is being kept in force and it is hoped that the influx of newer vehicles and the reduction in vehicle establishments will show the reduction originally envisaged.

(g) *Write-off and disposal*

58. Revised procedures governing the write-off and disposal of scrap material and condemned stores have been devised. These new procedures will materially reduce the administrative work-load and expedite the disposal of condemned stores.

(h) *North Star flights*

59. The requirements of air freight in the expediting of supplies and materials as well as stores required for the maintenance of aircraft was reviewed, and it was decided to reduce as an experimental measure the North Star service flights from four to three per month beginning August 1960. This arrangement necessitates moving certain amounts of freight by sea from Pisa to Port Said via Genoa. These shipments are arranged weekly and generally average eight to ten days' shipping time.

(i) *Sea and air cargo*

60. During the year under review, the average sea cargo has been 596.8 long tons per month inbound and 18.3 long tons per month outbound. A total of 513 ships unloaded stores for UNEF at Port Said. In addition, a monthly average of 54,009 lbs. of incoming and 47,661 lbs. of outgoing freight and mail was carried by air.

## VI. LOCAL ARRANGEMENTS

61. The authorities of the United Arab Republic continue to extend co-operation to UNEF and, on the whole, the relations between the Force and the local population continue to be satisfactory. Inevitably, of course, there have been some differences and frictions, but these have been minor and temporary. With the assistance of the United Arab Republic liaison staff to UNEF, it has been possible to resolve all differences without much difficulty.

## B. Financial arrangements and cost estimates of the Force

### I. ACTION BY THE GENERAL ASSEMBLY AT ITS FOURTEENTH SESSION

62. In resolution 1441 (XIV), the General Assembly, having examined the budget estimates for the Force submitted by the Secretary-General for the year 1960<sup>7</sup> and the observations and recommendations of the Advisory Committee on Administrative and Budgetary

<sup>7</sup> Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 28, documents A/4160 and A/C.5/800.

Questions thereon,<sup>8</sup> authorized the Secretary-General to expend up to a maximum of \$20 million for the continuing operation of the Force during 1960, this sum to be assessed against all Members on the basis of the regular scale of assessments. The Assembly nevertheless considered it desirable to reduce the financial burden on those Governments having the least capacity to contribute and decided accordingly that voluntary contributions pledged prior to 31 December 1959 should be applied as a credit to reduce by 50 per cent the contributions of as many Governments as possible, commencing with those Governments assessed at the minimum percentage of 0.04 per cent. It was further decided that, if Governments did not avail themselves of the foregoing credits, the amounts involved should be credited to the 1960 budget in section 9—Compensation in respect of equipment, *matériel* and supplies furnished by Governments to their contingents.

## II. ACTION BY GOVERNMENTS IN RESPONSE TO GENERAL ASSEMBLY RESOLUTION 1441 (XIV)

63. Voluntary contributions to the Special Account of the Force in the amount of \$3.2 million from the United States and \$275,000 from the United Kingdom resulted, under the terms of paragraph 3 of General Assembly resolution 1441 (XIV), in a 50 per cent reduction of the assessments for 1960 of all Member States with the exception of the five having the largest assessments—United States, Union of Soviet Socialist Republics, United Kingdom, France and China, each of which received a reduction of \$5,535 in comparison with an assessment of \$1,001,239.

64. However, as at 31 July 1960, four Governments—Australia, Belgium,<sup>9</sup> the Netherlands and Norway—had officially announced that they did not intend to avail themselves of the reduction in their assessments arising from voluntary contributions. The resulting income of \$397,303 (in excess of the \$20 million assessment for 1960) will be credited to the 1960 budget of the Force under section 9—Compensation in respect of equipment, *matériel* and supplies furnished by Governments to their contingents, in accordance with paragraph 4 of General Assembly resolution 1441 (XIV). The Secretary-General understands that some other Governments still have under consideration the question of foregoing the 50 per cent reduction in their 1960 assessment.

## III. RECOMMENDATION FOR CHANGING THE PROVISIONS OF PARAGRAPH 91 OF DOCUMENT A/3694<sup>10</sup> CONCERNING REIMBURSEMENT OF GOVERNMENTS IN RESPECT OF SUPPLIES, *matériel* AND EQUIPMENT FURNISHED TO THEIR CONTINGENTS

65. The General Assembly, by its resolution 1151 (XII), approved paragraph 91 of my report (A/3694)<sup>10</sup> in which I expressed the belief that, in the interests of an equitable sharing of costs, the United Nations should assume financial responsibility at the conclusion of the total period of service of a participating Government's forces for the costs it incurred in connexion with providing its contingent with supplies, *matériel* and equipment.

<sup>8</sup> *Ibid.*, documents A/4171 and A/4284.

<sup>9</sup> The Government of Belgium is foregoing part of its 50 per cent reduction.

<sup>10</sup> *Official Records of the General Assembly, Twelfth Session, Annexes*, agenda item 65.

66. I now consider, as mentioned in my foreword to the budget estimates for the Force for 1961 (A/4396), that it would be appropriate for the General Assembly to reconsider its policy which defers reimbursement for supplies, *matériel* and equipment until the conclusion of a participating Government's total period of service with the Force. The fact that UNEF will soon begin its fifth year of operation means that certain Governments have accrued substantial claims in providing for their contingents, and these claims will continue to increase even though at a reduced rate now that the United Nations is in a position to provide, in large part, standard items for supplying and equipping the Force.

67. Accordingly it is recommended that, at the conclusion of the period of service of any one contingent of the Force, rather than at the conclusion of the total period of service of a participating Government's forces, the United Nations should reimburse the Government, at standard rates to be agreed upon between the United Nations and the participating Governments, for destruction, loss or depreciation incurred in respect of the following categories of supplies and *matériel*:

- (a) Personal clothing of members of the contingents;
- (b) Personal equipment of members of the contingents such as rucksacks, kitbags, sleeping bags, canteens, cooking and eating utensils, etc.;
- (c) Small arms;
- (d) Ammunition.

68. Since the passing of the initial emergency period, the United Nations has acquired increasing experience which enables it better to provide for the needs of the various contingents. World-wide purchasing of standard items in quantity has offered the possibility of maximum economy in procurement. Standardization has achieved even greater economies by reducing the variety of items used and the spare parts carried for their maintenance; by simplifying problems of shipping, storage, inventory and maintenance; and by introducing better control over issues through the use of standard scales. It follows that the categories of supplies, *matériel* and equipment—other than those necessarily supplied in the home countries to incoming contingents and enumerated in paragraph 67 above—can be effectively obtained through the United Nations. However, in special cases where a contingent requires items peculiar to its national military establishment, these should be indented in the first instance to the Commander of the Force for subsequent requisition from the Government concerned by the United Nations procurement authorities.

69. It is therefore suggested that consideration be given to an arrangement whereby, unless at the time it is specifically agreed otherwise with the Government concerned, supplies, *matériel* and equipment requisitioned from Governments in accordance with paragraph 68 above be paid for in full by the United Nations at the time of delivery and presentation of Government invoices referencing the United Nations requisition number. All such items would become the property of the United Nations, but should they become surplus to the needs of the Force they could, if value warrants, be returned to the issuing Government, subject to reimbursement of the depreciated value as determined between the Government and the United Nations.

70. Should the General Assembly approve the recommendations in paragraphs 67-69 above, they would be applied *mutatis mutandis* to the determination of reim-

bursement due to Governments for supplies, *matériel* and equipment made available to their contingents prior to such approval. The General Assembly might also consider it appropriate for the claims of Governments in respect of equipment to be offset by the cost of loss or damage to equipment arising from the gross or wilful negligence of members of their contingents. To this end, the Commanding Officer (or his designated alternate) of a contingent could be designated as a member of the United Nations property survey board convened to consider a case involving gross or wilful negligence of a member of his contingent.

71. Pending knowledge of the total credit that will be realized in section 9 of the 1960 budget for the Force under the terms of General Assembly resolution 1441 (XIV) and pending experience that will be gained should the General Assembly approve the recommendations in this report for the current reimbursement to Governments for items supplied to their contingents, it is not intended to request that the 1961 budget make provision in addition to the \$6 million already in the reserve for compensation to Governments in respect of supplies, *matériel* and equipment provided to their contingents. The liquidation of past obligations and the current payment of new obligations in respect of Government supplies, *matériel* and equipment should, however, lead to more even and certain budgeting in the future for such expenditure.

#### IV. ARREARS OF ASSESSMENTS PAYABLE BY MEMBERS TO THE SPECIAL ACCOUNT OF THE FORCE

72. Assessments approved by the General Assembly to the end of 1960 total \$75,233,988, of which \$51,003,219, or 67.8 per cent, had been collected as at 31 July 1960, as compared with 62.3 per cent on 31 July 1959. The assessments, collections and balances due for each year, as at 31 July 1960, are:

	Assessments	Collections <i>United States dollars</i>	Balance due
1957 .....	15,028,988	10,752,021	4,276,967
1958 .....	25,000,000	16,723,145	8,276,855
1959 .....	15,205,000	10,233,318	4,971,682
1960 .....	20,000,000	13,294,735	6,705,265
TOTAL	75,233,988	51,003,219	24,230,769

73. The \$20 million assessments for 1960 includes \$3,475,000 pledged as special assistance by two Governments. Prior to 1960, sixteen Governments contributed \$18,766,012 to the Force as special assistance, in addition to the assessed contributions for the same period. On the other hand, the following table shows the number of Governments which owed assessments in full or in part at 31 July 1960:

Assessment for	Owed in full	Owed in part
1957 . . . . .	.. 22	12
1958 . . . . .	.. 35	3
1959 . . . . .	.. 41	2
1960 . . . . .	.. 61	3

74. It is estimated on the basis of experience that only \$1.6 million of the \$24.2 million now due on assessments will be collected by the end of 1960. Accordingly, unpaid assessments for all years at the end of 1960 are estimated to be \$22.6 million, or 30 per cent of the total assessed, in comparison with 33.9 per cent not paid at the end of 1959.

#### V. CASH DEFICIT OF THE SPECIAL ACCOUNT OF THE FORCE

75. In spite of the small improvement foreseen in the collection of assessments, the fact that approximately one-third of the assessments for all years will remain unpaid at the end of this year will create a serious cash shortage. At 31 July 1960, the Special Account for the Force did not have sufficient cash to meet current needs and consequently was obliged to rely on a \$500,000 advance from the United Nations Working Capital Fund. It is estimated that the cash expenditures of the Force for the last five months of 1960 will be \$9.6 million in comparison with estimated cash receipts of \$5.4 million (including an estimated \$600,000 as a result of future decisions of more Governments not to avail themselves of the 50 per cent reduction in assessments under General Assembly resolution 1441 (XIV)). Accordingly, borrowings from the United Nations Working Capital Fund by the end of 1960 will amount to some \$5 million, including a minimum cash operating balance of \$800,000. The cash position during 1961 can be expected to worsen at a sharply increasing rate if the General Assembly approves my recommendation in paragraphs 67 to 69 above that the Force begin to reimburse participating Governments currently for supplies, *matériel* and equipment furnished to their contingents, and if, as is probable, certain Governments submit overdue invoices in respect of the extra costs of the pay and allowances of their contingents.

#### VI. COMMENTS ON THE UNSATISFACTORY FINANCIAL POSITION OF THE SPECIAL ACCOUNT OF THE FORCE

76. The Advisory Committee on Administrative and Budgetary Questions in its first report to the General Assembly at its fifteenth session, when considering the financial position of the Organization,<sup>11</sup> pointed out that the arrears in assessments for the Special Account of the Force are causing the financial position of the United Nations itself to become critical. The Advisory Committee presumed that the General Assembly at its fifteenth session would wish to consider alternative measures for dealing with the situation in order to preserve the solvency of the United Nations. Accordingly, the Committee listed, without indicating concurrence or approval at that stage, the following possible alternatives which had come to its attention:

(a) An Assembly decision to increase the Working Capital Fund sizably, perhaps to \$30 million in 1961;

(b) An Assembly decision to finance UNEF, after taking account of voluntary contributions, from a section of the regular budget in order to clarify the liability of Governments to pay UNEF assessments;

(c) An Assembly decision to include annually in the regular budget, during the period UNEF continues in existence, an item of \$5 million in lieu of the \$2 million now provided in the annual resolution on unforeseen and extraordinary expenses, with a proviso that surpluses remaining under this item at the end of each year be accumulated in a reserve fund for peace and security. Cash could be borrowed from this fund to pay UNEF bills, and this would relieve some of the pressure on the Working Capital Fund;

(d) An Assembly decision to establish a peace and security fund, to be maintained at a level of \$20 to \$25 million, which might be financed partly from the regular

<sup>11</sup> *Ibid.*, Fifteenth Session, Supplement No. 7.

budget and partly by voluntary contributions. The present UNEF and similar operations in the future might be financed from this fund.

77. When it is considered that, at the end of 1960, the Special Account of the Force will have unpaid liabilities of some \$16 million and will have borrowed approximately \$5 million, owing to the fact that Member States will not have paid assessments totalling in excess of \$22 million, it will be appreciated that the situation is sufficiently critical to warrant the urgent attention of the General Assembly at its fifteenth session. Concern for the financial development is increased by the new and considerable expenditure for the Congo operation, on the financing of which a separate report will be submitted.

#### VII. COST ESTIMATES FOR MAINTAINING THE FORCE DURING 1961

78. I have submitted to the General Assembly, 1961 budget estimates (A/4396) which provide for continuing the Force at its current level of approximately 5,300 officers and men, in order to enable the Assembly to make appropriate financial provision should it decide to continue the Force. These estimates total \$19,384,800 for 1961, which compares with an appropriation of \$20 million for 1960 (resolution 1444 (XIV)) and an expenditure of \$18,949,492 for 1959. The estimates for 1961 have been examined by the Advisory Committee on Administrative and Budgetary Questions, which has concurred in the estimates proposed, subject to the observations set forth in its report to the General Assembly on the 1961 budget estimates for the Force (A/4409).

#### **Document A/4486/Add.1**

[Original text: English]  
[21 October 1960]

1. The Secretary-General mentioned in document A/4486 the names of the Governments which had, as at 31 July 1960, officially announced that they did not

intend to avail themselves of the reduction in their assessment for the Special Account of the Force, arising from the voluntary contributions on the part of other Governments. By a letter dated 8 October 1960, the Government of Canada has informed the Secretary-General that it does not intend to take advantage of the 50 per cent reduction in its assessment which, under the terms of paragraph 4 of General Assembly resolution 1441 (XIV), will mean that Canada's additional payment of \$310,764 will be credited to the 1960 budget of the Force under section 9—Compensation in respect of equipment, *matériel* and supplies furnished by Governments to their contingents.

2. The Secretary-General also wishes to inform the General Assembly that the Government of Japan, in addition to paying in full its net assessment for 1960 to the Special Account of the Force, on 19 October 1960 paid into the Account a voluntary contribution in the amount of \$50,000 to meet expenses of the Force.

#### **Document A/4486/Add.2**

[Original text: English]  
[8 December 1960]

The Secretary-General mentioned in documents A/4486 and Add.1 the names of the Governments which have officially announced that they did not intend to avail themselves of the reduction in their assessment for the Special Account of the Force, arising from voluntary contributions on the part of other Governments. By a letter dated 5 December 1960, the Government of Sweden has informed the Secretary-General that it does not intend to take advantage of the 50 per cent reduction in its assessment which, under the terms of paragraph 4 of General Assembly resolution 1441 (XIV), will mean that Sweden's additional payment of \$138,895 will be credited to the 1960 budget of the Force under section 9—Compensation in respect of equipment, *matériel* and supplies furnished by Governments to their contingents.

### **DOCUMENT A/C.5/L.645**

#### **Cost estimates for the maintenance of the Force: Canada, Denmark, India, Norway, Sweden and Yugoslavia: draft resolution**

[Original text: English]  
[16 December 1960]

*The General Assembly,*

*Recalling* its resolution 1089 (XI) of 21 December 1956, 1151 (XII) of 22 November 1957, 1337 (XIII) of 13 December 1958, and 1441 (XIV) of 5 December 1959,

*Having considered* the observations made by Member States concerning financing of the Force,

*Having examined* the budget estimates for the Force submitted by the Secretary-General for the year 1961 (A/4396) and the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions thereon (A/4409),

*Having noted with satisfaction* that special financial assistance has been pledged voluntarily towards the expenditures for the Force in 1961,

*Considering* that it is desirable to apply voluntary contributions of special financial assistance in such a manner as to reduce the financial burden on those Governments which have the least capacity to contribute towards the expenditures for maintaining the Force,

1. *Authorizes* the Secretary-General to expend up to a maximum of \$19,000,000 for the continuing operation of the Force during 1961;

2. *Decides* to assess the amount of \$19,000,000 against all Members of the United Nations on the basis of the regular scale of assessments, subject to the provisions of paragraphs 3 and 4 below,

3. *Decides further* that the voluntary contributions including those already announced and referred to in preambular paragraph 4 above, shall be applied, at a

request of the Member State concerned made prior to 31 March 1961, to reduce by up to 50 per cent:

(a) The assessment that the Member States admitted during the fifteenth session are required to pay for the financial year 1961 in accordance with General Assembly resolution (XV), and

(b) The assessment of all other Member States receiving assistance during 1960 from the United Nations Expanded Programme of Technical Assistance, commencing with those States assessed at the minimum percentage of 0.04 per cent and then including, in order, those States assessed at the next highest percentages

until the total amount of the voluntary contributions has been fully applied;

4. Decides that, if Member States do not avail themselves of credits provided for in operative paragraph 3, then the amounts involved shall be credited to section 9 of the 1961 budget for the United Nations Emergency Force.

5. *Approves* the recommendations set forth in paragraphs 67 through 70 of the Secretary-General's report on the United Nations Emergency Force (A/4486) concerning reimbursement of Governments in respect of supplies, material and equipment furnished to their contingents.

## DOCUMENT A/4674

### Report of the Fifth Committee

[Original text: English]  
[19 December 1960]

1. The Fifth Committee at its 821st and 822nd meetings, held on 16 December 1960, considered the estimates for the maintenance of the United Nations Emergency Force for 1961 (A/4396) submitted by the Secretary-General and the pertinent report of the Advisory Committee on Administrative and Budgetary Questions (A/4409).

2. In his foreword to the budget estimates the Secretary-General expressed the view that the Force continues to provide a stabilizing influence in the Middle East and that it should continue its operations during 1961 at its present strength. The Secretary-General reported that the 1961 operating costs of the Force (part A) show a decrease of \$915,000 from the 1960 appropriation for this purpose although reimbursements to Governments (part B) show an increase of \$300,000.

3. The Secretary-General referred to the question of compensation for equipment, *matériel* and supplies furnished by Governments to their contingents. In view of the fact that UNEF will soon be in its fifth year of operation, that substantial claims for loss or deterioration of Government-owned equipment and supplies have accrued during the past three and one-half years and that increases in such claims must be expected as long as UNEF continues, he considered that the General Assembly at its fifteenth session should reconsider the original reimbursement policy which it approved at its twelfth session (resolution 1151 (XII)). The Secretary-General expressed further views on this point and submitted recommendations in his Progress Report on the Force (A/4486, paras. 65-70).

4. The Secretary-General furnished information that as at 31 May 1960 unpaid assessments totalled over \$24,000,000. This amount represented 32.5 per cent of the total UNEF assessments for the four years. As a result of the steady increase in the arrears of contributions to the UNEF Special Account, it had been necessary throughout the past year to have advances from the Organization's Working Capital Fund in order to finance current UNEF expenses. At the end of 1959 these totalled slightly under \$3,000,000 but this total would be increased by several million dollars by the end of 1960. He considered the situation so critical as to require an urgent solution.

5. The Secretary-General's 1961 estimates (A/4396) for the expenses of the Force has totalled \$19,384,800. The Advisory Committee had reported on these estimates (A/4409) and, while recommending an appropriation of the amount estimated for the purposes of assessment, suggested that efforts should be made to keep the expenses within a target level of \$19,000,000.

6. During the discussion in the Fifth Committee several delegations stated the position of their Governments that UNEF had been established illegally and said that their Governments would not contribute to its maintenance. Other delegations, while not questioning the juridical basis of the Force, considered that the arrangements made for financing it did not take account of different levels of responsibility. Still other delegations favoured inclusion of the costs of the Force in the regular budget of the Organization.

7. At the 821st meeting of the Committee the representatives of the United Kingdom and the United States announced that, subject to parliamentary approval, their Governments would make voluntary contributions to the 1961 expenses of the Force. The amounts of the contributions pledged were: United States—\$1,800,000 and United Kingdom—\$135,000.

8. At the 822nd meeting of the Committee the representative of Norway introduced a draft resolution (A/C.5/L.645) submitted by Canada, Denmark, India, Norway, Sweden and Yugoslavia.

9. At the 822nd meeting of the Committee, the Secretary-General's representative proposed the insertion of the words "pledged prior to 31 December 1960" in operative paragraph 3 following the word "contributions". This insertion was accepted by the sponsors and met with the approval of the Committee.

10. At the same meeting the representative of Iraq proposed, as an amendment to the draft resolution, that the words "made prior to 31 March 1961" should be omitted in operative paragraph 3. The Committee rejected the proposed amendment by 17 votes to 8, with 29 abstentions. The draft resolution as a whole was adopted by a roll-call vote of 31 to 8, with 19 abstentions. The voting was as follows:

*In favour:* Argentina, Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Denmark, Federation

of Malaya, Finland, France, Ghana, Greece, India, Indonesia, Iran, Ireland, Israel, Italy, Japan, Netherlands, New Zealand, Norway, Pakistan, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yugoslavia.

*Against:* Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*Abstaining:* Afghanistan, Chile, China, Colombia, Cuba, Dahomey, El Salvador, Ethiopia, Guatemala, Iraq,

Lebanon, Mexico, Peru, Philippines, Portugal, Spain, Union of South Africa, United Arab Republic, Venezuela.

### **Recommendation of the Fifth Committee**

11. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.].

## **ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 960th plenary meeting on 20 December 1960, the General Assembly took note of the Progress report of the Secretary-General on the United Nations Emergency Force (A/4486 and Add.1 and 2).

At the same meeting the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/4674, para. 11). For the final text see resolution 1575 (XV) below.

### **Resolution adopted by the General Assembly**

#### **1575 (XV) COST ESTIMATES FOR THE MAINTENANCE OF THE UNITED NATIONS EMERGENCY FORCE**

*The General Assembly,*

*Recalling* its resolutions 1089 (XI) of 21 December 1956, 1151 (XII) of 22 November 1957, 1337 (XIII) of 13 December 1958 and 1441 (XIV) of 5 December 1959,

*Having considered* the observations made by Member States on the financing of the United Nations Emergency Force,

*Having examined* the budget estimates for the Force submitted by the Secretary-General for the year 1961 (A/4396) and the observations and recommendations thereon of the Advisory Committee on Administrative and Budgetary Questions (A/4409),

*Having noted with satisfaction* that special financial assistance has been pledged voluntarily towards the expenditures for the Force in 1961,

*Considering* that it is desirable to apply voluntary contributions of special financial assistance in such a manner as to reduce the financial burden on those Governments which have the least capacity to contribute towards the expenditures for maintaining the Force,

1. *Authorizes* the Secretary-General to expend up to a maximum of \$19 million for the continuing operation of the United Nations Emergency Force during 1961;

2. *Decides* to assess the amount of \$19 million against all States Members of the United Nations on the basis

of the regular scale of assessments, subject to the provisions of paragraphs 3 and 4 below;

3. *Decides further* that the voluntary contributions pledged prior to 31 December 1960, including those already announced and referred to in the fourth preambular paragraph above, shall be applied, at a request of the Member State concerned made prior to 31 March 1961, to reduce by up to 50 per cent:

(a) The assessment that the Member States which were admitted during the fifteenth session of the General Assembly are required to pay for the financial year 1961 in accordance with Assembly resolution 1552 (XV) of 18 December 1960;

(b) The assessment of all other Member States receiving assistance during 1960 under the Expanded Programme of Technical Assistance, commencing with those States assessed at the minimum percentage of 0.04 per cent and then including, in order, those States assessed at the next highest percentages until the total amount of the voluntary contributions has been fully applied;

4. *Decides* that, if Member States do not avail themselves of credits provided for in paragraph 3 above, the amounts involved shall be credited to section 9 of the 1961 budget for the Force;

5. *Approves* the recommendations set forth in paragraphs 67 to 70 of the Secretary-General's report on the United Nations Emergency Force (A/4486) concerning reimbursement of Governments in respect of supplies, material and equipment furnished to their contingents.

*960th plenary meeting,  
20 December 1960.*

## **CHECK LIST OF DOCUMENTS**

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 27 which are not reproduced in the present fascicle.

Document No.  
A/C.5/L.651

Title  
Draft report of the Fifth Committee

Observations and references  
Same text as A/4674



**Agenda item 28: Progress and operations of the Special Fund\*\***

**Agenda item 30: Programmes of technical assistance:\*\***

- (a) Report of the Economic and Social Council;
- (b) United Nations assistance in public administration: report of the Secretary General;
- (c) Confirmation of the allocation of funds under the Expanded Programme of Technical Assistance

**Agenda item 31: Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States: reports of the Economic and Social Council and of the Secretary-General\*\***

**Agenda item 32: Question of assistance to Libya: report of the Secretary-General\*\***

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\* These items were considered together in accordance with the decision taken by the Committee at its 645th meeting.

\*\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Second Committee*, 694th, 695th, 698th to 701st and 707th to 714th meetings; and *ibid.*, *Plenary Meetings*, 948th meeting.

**DOCUMENT A/4491**

**Progress and operations of the Special Fund**

**Note by the Secretary-General**

[*Original text: English*]  
[13 September 1960]

1. The report of the Governing Council of the Special Fund on its third and fourth sessions (E/3398) was before the Economic and Social Council at its thirtieth session and is available to the General Assembly. It is for consideration by the General Assembly in accordance with part B, paragraph 10, of General Assembly resolution 1240 (XIII) of 14 October 1958.

2. The comments of the Economic and Social Council on this report are to be found in chapter II, section III, of the report of the Economic and Social Council to the General Assembly (A/4415).

3. At the request of the Managing Director of the Special Fund, the Secretary-General also transmits to the General Assembly, for the information of Members,

the annual report of the Managing Director of the Special Fund for 1959 (SF/L.28/Rev.1).

4. In addition, paragraph 54 of part B of General Assembly resolution 1240 (XIII) requires that the administrative budget of the Special Fund, as approved by the Governing Council, shall be submitted to the General Assembly together with any comments which the Advisory Committee on Administrative and Budgetary Questions may have made on these budget estimates.

5. In conformity with this provision, the Special Fund's administrative budget estimates for the year 1960 (SF/L.24/Rev.1), which were submitted by the

Managing Director of the Special Fund to the Governing Council at its third session, are likewise being made available to the Assembly. As stated in paragraph 69 of the Governing Council's report (E/3398), these estimates were approved by the Council. The related comments of the Advisory Committee on Administrative

and Budgetary Questions, which the Governing Council took into account when approving the estimates, are available as document A/4268.<sup>1</sup>

<sup>1</sup> *Official Records of the General Assembly, Fourteenth Session, Annexes*, agenda item 29.

## DOCUMENT A/4575

### Question of assistance to Libya

#### Report of the Secretary-General

[Original text: English]  
[15 November 1960]

1. General Assembly resolution 1303 (XIII) of 10 December 1958 on the question of assistance to Libya contains the following operative paragraphs:

*"The General Assembly,*

*"...*

1. *Invites anew* all Governments willing and in a position to do so to provide financial assistance to the United Kingdom of Libya through the appropriate mechanisms available within the United Nations for receiving voluntary contributions, in order to assist Libya in the financing of its fundamental and urgent programmes of reconstruction and of economic and social development;

"2. *Recommends* that, if and when further means become available for assisting in the financing of the development of under-developed areas and for expanding technical assistance to them, the United Nations and the specialized agencies should give due consideration to the specific development needs of Libya;

"3. *Requests* the Secretary-General, the Technical Assistance Board, and the specialized agencies concerned to continue to waive local costs and to give all possible favourable consideration to the requests of Libya for technical assistance, taking into account the special needs of Libya and the principles of the technical assistance programmes of the United Nations and of the specialized agencies enumerated in Economic and Social Council resolution 222 (IX) of 15 August 1949;

"4. *Requests* the Secretary-General to draw the attention of the Managing Director of the Special Fund to the communication of the Prime Minister of Libya dated 17 September 1958 and to the recommendations contained in paragraph 2 above;

"5. *Requests* the Secretary-General to bring the present resolution to the attention of the Governments of Member States and to take the necessary measures to facilitate the implementation of paragraph 1 above;

"6. *Requests* the Secretary-General to make a special report on the question of United Nations assistance to Libya in time for the report to be placed on the provisional agenda of the fifteenth session of the General Assembly."

2. A memorandum on technical assistance to Libya, together with a letter dated 13 October 1960 from the Prime Minister and Minister of Foreign Affairs of Libya to the Secretary-General (A/4576) is before the General Assembly under agenda item 32.

3. It will be recalled that, following the adoption of General Assembly resolution 289 A (IV) of 21 Novem-

ber 1949, the United Nations assumed an active role in the events leading to the declaration of Libya's independence in December 1951. Moreover, both before and since independence, the furtherance of Libya's economic and social development has been a matter of special concern to the United Nations, as resolutions 726 (VIII), 924 (X) and 1303 (XIII), adopted by the General Assembly at its eighth, tenth and thirteenth sessions, have evidenced. The country's needs, and especially the developments in those needs since this question was last considered by the General Assembly, together with the way in which they have been met from international sources, are described in some detail in the above-mentioned memorandum. The most notable change in the Libyan scene since this question was last considered by the General Assembly has been brought about by the discovery of oil. The Prime Minister's letter warns, however, that "Libya's natural resources, with the single exception of recently discovered petroleum reserves, are extremely limited, and the shortages of cultivable land, water supplies and skilled personnel are acutely felt". While it speaks of the economic prospects for Libya as being "bright and hopeful", it makes it clear that "the revenues from the commercial exploitation of . . . oil resources will not become available in important volume for at least two or three years" and, further, that "in fields such as agriculture, the receipt of petroleum revenues will do little to solve the fundamental problems posed by climate, soil, lack of water and deficient farming techniques".

4. The amount of assistance provided under the Expanded Programme of Technical Assistance covering the period 1950-1960 is summarized in the table annexed to the present report, bringing up to date the information submitted by the Secretary-General to the General Assembly at its thirteenth session.<sup>2</sup> It will be seen that the amount of such assistance over the ten-year period totals about \$6.5 million, the figures for 1959 and 1960 being \$713,600 and \$640,000 respectively. The Prime Minister writes of the Government's disappointment that further reductions are to be made in the level of assistance to Libya under the Expanded Programme in the next two years. Such reductions are, however, in no way a reflection of any diminishing concern for Libya's economic needs. Similar reductions have been made in other country programmes, particularly those which have been long established, in order to accommodate within the funds expected to be available in the next two years the requests for technical assistance from a rapidly growing number of countries,

<sup>2</sup> *Ibid.*, *Thirteenth Session, Annexes*, agenda item 30, document A/3960.

especially newly independent countries. The Secretary-General is confident that the Technical Assistance Board (TAB) will continue to do its utmost to meet the special needs of Libya. The Board took note of paragraph 3 of General Assembly resolution 1303 (XIII) and throughout 1959 and 1960 has continued to waive local costs. It is noted that the Government believes the time is not far distant when Libya will be in a position to relinquish the waiver on local costs. The Executive Chairman of TAB has indicated his intention to renew the waiver for 1961, after consultation with the Board, on the understanding that consultations will be opened with the Government for the progressive application to Libya, in future years, of the arrangements regarding local costs applicable to other countries.

5. The United Nations and the specialized agencies have also provided significant amounts of technical assistance under their regular programmes. For example, the available data for 1959 indicate an expenditure of \$116,976 and the provision of fifteen experts and thirty-nine fellowships under these programmes. Over a period of nine years, the United Nations Children's Fund (UNICEF) has allocated \$553,700 for child care projects, nutrition, health services and tuberculosis control in Libya. The Government of Libya was among the first to request the services of experts under the programme for the provision of operational, executive and administrative personnel (OPEX). Following the conclusion of an agreement between the United Nations and the Government in 1959, officers were supplied to man three high-level posts having an important bearing on the administration and economy of the country. All appointments were made for one year in the first instance. Two of them will be extended for another year, while the third officer, who has retired after concluding his assignment, is being replaced by another to man a somewhat different post in the same field. The Secretary-General was regretfully unable to meet more requests for OPEX assistance at the time, since the programme had been sanctioned only on an experimental basis and with limited resources. The possibilities

have, however, improved in recent months and recruitment has commenced for the provision of two more OPEX officers for the Government of Libya.

6. In implementation of operative paragraph 4 of General Assembly resolution 1303 (XIII), the Special Fund, in December 1959, allocated the sum of approximately \$1 million to assist in the establishment of an institute of higher technology. In addition, the Managing Director is recommending to the forthcoming session of the Governing Council that it approve an allocation of approximately \$525,000 to assist the Libyan Government in the establishment of a radio and telecommunications school.

7. It will be seen from the above that, although there has been a slight reduction in actual and planned expenditures under the Expanded Programme in the past few years, the provision of assistance to Libya under the programmes, and more particularly by the Special Fund, will more than offset, in financial terms, the reductions referred to above.

8. In accordance with operative paragraph 5 of General Assembly resolution 1303 (XIII), the Secretary-General again addressed the Governments of all Member States, indicating that he was prepared to take the necessary measures to facilitate the implementation of paragraph 1 of that resolution. Of the nineteen Governments which replied to this communication, a number referred to their support of assistance to Libya through their regular contributions to the Expanded Programme and other programmes of technical assistance of the United Nations and the specialized agencies, but none indicated a desire to furnish additional financial assistance to Libya through the appropriate mechanisms available within the United Nations. At the same time, the Governments of France, Italy, the United Kingdom of Great Britain and Northern Ireland and the United States of America also drew attention in their replies to their continued direct financial and technical assistance to the Government of Libya under bilateral arrangements.

## ANNEX

### TECHNICAL ASSISTANCE TO LIBYA UNDER THE EXPANDED PROGRAMME OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES: 1950-1960<sup>a</sup>

	UNTA	ILO	FAO	UNESCO	ICAO	WHO	ITU	WMO	Total
Amounts obligated (in thousands of US dollars)									
1950-1951 <sup>b</sup>	85.4	1.0	23.0	102.0	—	20.4	—	—	231.8
1952	229.5	18.1	160.3	211.8	—	34.7	—	—	654.4
1953	127.7	176.4	281.1	160.2	—	26.4	—	—	771.8
1954	76.7	178.4	191.8	98.2	6.1	13.8	—	19.1	584.1
1955	95.3	160.5	176.3	136.1	—	12.3	—	21.9	602.4
1956	72.6	145.4	241.7	176.5	—	42.8	—	52.8	731.8
1957	83.4	161.2	242.1	149.7	—	63.7	—	33.0	733.1
1958	66.7	171.9	239.8	153.4	—	82.9	—	21.1	735.8
1959	91.6	115.2	246.3	150.3	—	81.3	3.2	25.7	713.6
1960 <sup>c</sup>	92.6	90.0	225.9	139.9	—	70.8	4.0	16.8	640.0
	1,021.5	1,218.1	2,028.3	1,478.1	6.1	449.1	7.2	190.4	6,398.8
Number of experts									
1950-1951	6	1	4	20	—	3	—	—	34
1952	14	7	18	26	—	2	—	—	67
1953	13	34	15	27	—	2	—	—	91
1954	8	43	15	11	1	3	—	2	83
1955	6	38	21	16	—	5	—	2	88

TECHNICAL ASSISTANCE TO LIBYA UNDER THE EXPANDED PROGRAMME OF THE UNITED NATIONS  
AND THE SPECIALIZED AGENCIES: 1950-1960<sup>a</sup> (continued)

	UNTA	ILO	FAO	UNESCO	ICAO	WHO	ITU	WMO	Total
1956 . . . . .	5	35	27	20	—	6	—	2	95
1957 . . . . .	7	27	21	21	—	9	—	3	88
1958 . . . . .	6	34	21	18	—	9	—	2	90
1959 . . . . .	6	19	19	18	—	12	1	1	76
1960 <sup>c</sup> . . . . .	7	10	18	18	—	6	1	1	61
	78	248	179	195	1	57	2	13	773
Number of fellows									
1950-1951 . . . . .	28	—	—	17	—	—	—	—	45
1952 . . . . .	32	—	13	23	—	3	—	—	71
1953 . . . . .	—	—	5	—	—	5	—	—	10
1954 . . . . .	1	64	2	55	—	—	—	—	122
1955 . . . . .	8	50	3	65	—	1	—	—	127
1956 . . . . .	11	2	—	50	—	2	—	—	65
1957 . . . . .	6	5	3	30	—	3	—	1	48
1958 . . . . .	2	3	—	22	—	4	—	—	31
1959 . . . . .	19	5	5	16	—	—	—	—	45
1960 <sup>c</sup> . . . . .	—	4	—	6	—	2	—	—	12
	107	133	31	284	—	20	—	1	576

<sup>a</sup> Source: Reports of the Technical Assistance Board.

<sup>b</sup> Estimated expenditure.

<sup>c</sup> Approved programme, category I.

## DOCUMENT A/4576

### Question of assistance to Libya

**Communication dated 13 October 1960 from the Prime Minister and Minister of Foreign Affairs of Libya addressed to the Secretary-General transmitting a memorandum on the assistance received by Libya**

[Original text: English]  
[14 November 1960]

*Note by the Secretary-General:* The Secretary-General has the honour to submit to the Members of the General Assembly, for information, a copy of a communication dated 13 October 1960 from the Prime Minister and Minister of Foreign Affairs of Libya transmitting a memorandum on the assistance received by the Government of Libya from the United Nations.

#### LETTER OF TRANSMITTAL

I have the honour to refer to resolution 1303 (XIII) which was adopted by the United Nations General Assembly on 10 December 1958 and which requested, *inter alia*, that a special report on the question of United Nations assistance to Libya should be prepared so that this subject might be placed on the agenda for the fifteenth session of the General Assembly.

On those previous occasions when similar requests have been made by the Assembly, my predecessor and I have submitted to the Secretary-General memoranda outlining the assistance received from the United Nations, the results that have followed from this assistance and the general progress made in Libya's economic and social development.<sup>3</sup> These documents have been circulated to delegations attending the Assembly, and I understand that they have been of some assistance in providing background information to delegates participating in the debate. Consequently, I am now trans-

mitting to you a further report in which are set forth the main features of the background against which United Nations aid is provided and which covers as well the major changes which have occurred since my last report.

I welcome this opportunity to convey to you the deep gratitude of my Government and the people of Libya for the assistance which the United Nations continues to render to our country. We set a very high value on this aid and there can be no doubt that it has greatly contributed to the rate of progress we have been able to maintain in the reconstruction and development of Libya.

It is, therefore, with a deep sense of disappointment that my Government notes that further reductions are to be made in the level of assistance to Libya in the next two years. We are, of course, aware of the growing demands upon the resources of the United Nations and we welcome the efforts which are being made to assist the newly-independent countries, particularly in Africa, but we also feel that the special position of Libya should continue to be recognized and that the United Nations should continue to acknowledge its special responsibility

<sup>3</sup> *Ibid.*, Tenth Session, Annexes, agenda item 26, document A/2969; *ibid.*, Thirteenth Session, Annexes, agenda item 30, document A/3961.

towards our country. Our needs for technical assistance are increasing rather than diminishing and we would urge, therefore, that our real and urgent requirements should be given favourable consideration when allocations of technical assistance funds are next made.

I have to record that the invitation expressed in paragraph 1 of resolution 1303 (XIII) has so far met with no favourable response. However, as you will know, a number of Member Governments have for some years provided direct financial and technical assistance to Libya. This considerable support, together with the aid of United Nations experts, has helped greatly in implementing our programmes for economic and social development.

We recognize that the progress so far made is but the beginning of the programme of work which we must undertake. Great difficulties have beset our early efforts and many of these problems will remain with us for long years to come. The initial handicaps of wartime damage and destruction have now been largely overcome, although restoration has necessarily diverted our efforts from more fruitful development activities and must, to a smaller extent, continue to do so. Libya's natural resources, with the single exception of recently discovered petroleum reserves, are extremely limited, and the shortages of cultivable land, water supplies and skilled personnel are acutely felt.

Nevertheless, the considerable endeavours which have been made to overcome the difficulties and shortages have not been unrewarded and we can record encouraging progress in the development of Libya's resources. But even greater effort is required to develop to the full the latent skills of our people and the economy of our country. My Government is determined that, despite the difficulties and the lack of domestic capital and resources, every effort shall be exerted to raise the living standards of the Libyan people and to attain a self-supporting and prosperous economy. If our progress towards these ends is not to be seriously retarded at the present critical stage, we shall continue to need for some time to come the financial support and technical assistance provided by Member Governments and the United Nations. My Government would therefore ask that the attention of the General Assembly should be directed to the recommendations embodied in resolution 1303 (XIII) and would urge the reaffirmation of these recommendations by the Assembly.

There can be no question that the economic prospects for Libya in the future are bright and hopeful: this should not, however, obscure the fact that the revenues from the commercial exploitation of our oil resources will not become available in important volume for at least two or three years, nor the fact that our present urgent needs for technical assistance and skilled personnel of all kinds are certain to grow with the increasing technical advances within the country. In fact, the prospect of growing revenues from petroleum makes the shortage of skilled personnel in technical and administrative positions even more acute. Furthermore, in fields such as agriculture, the receipt of petroleum revenues will do little to solve the fundamental problems posed by climate, soil, lack of water and deficient farming techniques. The continuation of the aid provided by international experts is essential if Libyan agriculture is to be improved and the living standards of the majority of the Libyan population are to be raised.

Although Libya's need for capital is still acute and an overwhelming amount of investment is required to

achieve the economic and social progress we desire, our most pressing need is for the provision of skilled personnel without which the effects of our investment programme would be nullified. Indeed, our requirements for expert help have not merely kept pace with economic growth, but have in fact substantially increased. Looking ahead we can see that the need for such services will increase even more rapidly in the future with the establishment of the petroleum industry and the continuation of the development programme.

Despite our best efforts, it has not been possible for our training programmes to keep pace with this demand: given the inherent slowness with which technical education and experience can be imparted and given also the rising demand for technical services, it is apparent that for some time to come Libya must seek external help to close this gap. The assistance which the United Nations can provide will thus be of particular importance to Libya in the next few years, since it is during this period that the foundations for rapid growth must be laid.

My Government recognizes that, with the growth in prosperity which may reasonably be anticipated when substantial revenues from oil become available the time is probably not far distant when Libya will be in a position to relinquish the waiver on the local costs involved in the provision of technical assistance. However, income from petroleum exploitation is not expected to attain the levels which would make this possible for the next two or three years: during this period the Government will be faced with heavy and growing expenditures which are unlikely to be matched by comparably increasing revenues. My Government would therefore request that the United Nations should continue to grant Libya the waiver on local costs during the short but difficult period of transition which lies ahead. The privilege of the waiver has been of considerable financial help to Libya in the past and there is a real need for the continuation of this help in the immediate future.

In my letter transmitting the previous report, I referred to the foundation of three new United Nations organizations: the Programme for the provision of operational, executive and administrative personnel (OPEX), the Economic Commission for Africa and the Special Fund. I am happy to see that all three are now well-established; that, in spite of some early difficulties, in particular the need for more continuity in appointments under the OPEX programme, they are providing invaluable help; and that benefits may be more widely and more abundantly available to the under-developed nations.

It is appropriate to record here a welcome to yet another new international organization now being set up under United Nations auspices. My Government welcomes the establishment of the International Development Association (IDA) as being a major step to assist the poorer nations of the world in their struggle towards a higher standard of life for their peoples. We would ask all Governments to join us in giving this new enterprise the greatest possible support and we would especially ask the more advanced nations to contribute all they can, even at the expense of their own bilateral aid programmes, so that the goal of increasing prosperity and a better standard of life might be brought a little closer to the majority of the world's people. Most under-developed countries need investment on a substantial scale in projects which for one reason or

another cannot be financed on a commercial basis nor from their own resources, but yet are essential to their development. The provision of funds for such projects by the IDA on long repayment terms and at practicable rates of interest and amortization will go far to meet one of the most urgent needs of countries such as Libya which are striving to achieve economic and social improvement.

Our task and our intention is to make the best possible use of the revenues which are expected to accrue in the future from oil exploitation and to make a worthy and increasingly substantial contribution to our development from these new resources. We realize the vital importance of the next few years and my Government asks that Member nations will continue to provide financial and technical support in order that our own efforts may be successful. We also ask the United Nations for continuation and if possible for an increase of the technical assistance which is indispensable to our progress. The Government and people of Libya know that they can best show their appreciation of the assistance they receive by themselves making every effort and sacrifice to achieve the economic and social development of their country: this, I am certain they will continue to do.

(Signed) Abdul Mejid COOBAR  
Prime Minister  
and Minister of Foreign Affairs

### Memorandum on United Nations Technical Assistance to Libya

#### PREFACE

1. In the two years which have elapsed since the last report on this subject (A/3961) was transmitted by the Government of Libya to the Secretary-General, Libya has continued to benefit from the interest and help of the United Nations. A substantial measure of assistance has been forthcoming from the United Nations in each of the nine years since, at the end of 1951 and as a consequence of a decision of the General Assembly, Libya was created as an independent State. Although the level of this assistance has lately declined, it has nevertheless made a most valuable contribution to Libya's economic and social development. In addition, Libya has received a considerable volume of financial and technical aid directly from Member nations, especially the United States of America and the United Kingdom of Great Britain and Northern Ireland.

2. Without the continuity and volume of assistance given so generously to Libya by the United Nations and friendly Governments, the marked progress which has been made in the economic and social development of the country would not have been possible. At the time when it became independent, Libya had little prospect of rapid social and economic advance. This was a country mainly of desert, with negligible proven material resources, a relatively small land area suitable for cultivation, a population without education, technical training and administrative experience and an infrastructure severely damaged by wartime action and neglect.

3. From this most unpromising beginning considerable progress has been made: it is to the credit of the United Nations, of the friendly Governments who have provided aid and of the Libyan people themselves that so much has been achieved in such a relatively short

period. The restoration of war-damaged facilities is now virtually completed, important progress has been made in providing additions to the infrastructure, a large number of development projects designed to improve the economic well-being of the country have been implemented and great strides have been made in the field of education and health.<sup>4</sup>

4. With the limited statistical and economic data available within the country it is not possible to measure the progress which has been made. This is particularly so since a major contribution towards higher income levels in some sectors has been made by the expenditures in Libya of oil exploration companies, foreign military establishments and the sizable foreign civilian community: it is thus not easy to isolate the effects of development expenditures. But, if not measurable, the effects of development activities are apparent in terms of benefits to the people of Libya in more acceptable living conditions and greater opportunities for advancement.

5. Nevertheless, it is realized that as yet only a beginning has been made: a vast amount of essential development work must still be undertaken. It will take many years and require very considerable investment of financial and human resources before economic and social conditions in Libya can be raised to the desired levels. To achieve this, Libya will need for some time to come the continuing help and interest of the United Nations and the Member Governments.

6. Libya's situation is now, however, very much more hopeful and promising than it was on the occasion of the last report to the Secretary-General in 1958 (A/3961). There are three particular reasons for this improvement, all of which have significance for the future development of the country: they are the discovery of petroleum, the reorganization of the development agencies and the report published in April 1960, of the survey mission in Libya of the International Bank for Reconstruction and Development, entitled *The Economic Development of Libya*.

#### THE DISCOVERY OF OIL

7. The importance to Libya of the discovery of oil can best be judged against the background of a country almost entirely lacking in other natural resources, with a very limited cultivable land area, with inadequate water supplies and hitherto dependent to a substantial degree on external assistance, both for ordinary budgetary expenditures and for development financing. It is as yet too early to estimate the likely volume of petroleum production or to guess the size of the revenues which Libya will derive from oil. Of the 145 wells so far drilled, forty-two have proved to be producing wells giving a total of 87,822 barrels of oil per day. Not all of these wells are sufficiently productive for commercial exploitation, but already the wells in two areas (one in Tripolitania, one in Cyrenaica) have been shown to produce sufficient for commercial purposes. Both areas are within 150 kilometres of the coast and pipe-lines are to be laid connecting the wells to two oil shipment terminals which will be constructed on the coast of the Gulf of Sirte. It is anticipated that oil exports from both fields will be flowing in 1962.

<sup>4</sup> Details of capital development and technical assistance activities will be found in two reports of the Development Council—"Development Activities in Libya" (1957) and "Financing of Development Programmes" (1958). A new issue of the latter report will be published shortly and will bring up to date the material on capital development and technical assistance.

8. Libya may therefore look forward to receiving revenues from oil production within the next two years; initially these may not be large, and it may well be four or five years before they are substantially increased. The Libyan Government is conscious that the exploitation of oil resources will not automatically solve all the country's economic problems; indeed it is anticipated that many new problems may thereby be created. Nevertheless, there are firm prospects that the country will in time become economically more self-supporting and consequently less dependent upon external aid for budgetary support and the financing of development activities. The revenues from oil will be devoted mainly to development works, but smaller proportions (15 per cent in each case) will go to the Federal Government and to the province in which the oil is produced. The ordinary budgets of the Federal and the provincial Governments will thus be helped to sustain the burden of recurrent costs arising from new development projects and the way will be opened for growing expenditures on economic and social services. Not only will the Government receive direct revenues from petroleum production and increased revenues from taxation, but increasing incomes will accrue also to the people of Libya, both from the activities of the oil companies and from the economic growth following development expenditures from Government revenues.

9. The impact of oil company activities has already had a marked effect on the economy of Libya. This impact has reinforced, and now overshadows, the effects of expenditures by other parts of the foreign sector of the economy: expenditures by foreign military establishments and aid agencies and their personnel have for some time made a considerable impact on certain sectors of the economy and this is in many respects similar to the much greater impact of oil company activities. These companies have provided employment opportunities to a growing number of Libyans in the field, in offices and in ancillary services. Such employment may be expected to increase during the next year or so as exploration is intensified in the period before concessions must be partially surrendered and it is probable that a peak will be reached during the time when exploration and development of production facilities are proceeding together. It is unlikely that the numbers employed in oil production and related industries will ever be large but salaries and wages are often higher than otherwise obtainable and offer an incentive to those employed elsewhere.

10. Apart from such direct employment, which can absorb only a small part of the working population, oil company activity is also stimulating demand in those trades and industries which serve the oil industry: transport, building and construction, service industries and, of course, wholesale and retail trade, have grown substantially to meet the requirements of the oil companies and their employees. In addition, there has been a secondary increase in demand for consumer goods, which is caused by the increasing incomes of those who benefit from oil company expenditures. Increased employment in these industries and trades has followed, whilst government revenues from import duties and taxation have also grown. The stimulus to industry and trade, both direct and derived, may be expected to increase as exploration and development move towards peak activity in the next year or so.

11. The discovery of oil in Libya will undoubtedly lead to some further development of domestic indus-

tries. Arrangements are already in hand for the construction of two pipe-lines to the coast: it would be a logical development to construct a small refinery, capable of expansion to meet future demands, which would serve the needs of the country, including the foreign military establishments and the air services using Libyan airports. Such a refinery, as well as the possibility of natural gas supplies, would open a potential field of development in petrochemicals and fertilizers. Foreign investors have shown interest in developing such enterprises, and, indeed, one effect of the discovery of oil is the encouragement it has given to foreign interest in investment in Libyan industrial development. Sound and beneficial foreign investment will be encouraged by the Government, and legislation exists for this purpose. Locally produced oil products may be expected to provide cheaper fuel supplies for power production and for transport and industry. This will widen the scope for industrial development as new enterprises become more economic and will also provide cheaper power and fuel for domestic use.

12. The Government is aware, however, that oil revenues and developments consequent upon the discovery of oil do not of themselves solve all the problems of development or of the economy in general. Many uncertainties and problems remain which must be overcome and resolved by government action or by private enterprise. The timing and volume of oil revenues can be only roughly estimated at this stage. Although Libya has some cost and transportation advantages in supplying petroleum to western Europe, there may be marketing and price difficulties in a period when world oil supplies exceed demand. Employment and relatively high incomes in the oil industry, in related industries and in the trades and services which benefit directly from the development of oil will be limited to a small part of the population. In fact, a decline in direct employment may be expected once the peak of activity is passed and some difficult adjustments may have to be made. So far, the people in agricultural and rural areas have benefited little from the activities associated with oil exploitation. Serious problems are posed by the imbalance between a small urban minority deriving greatly increased incomes and a rural majority barely affected by the increased flow of money in the country. Included in these is the problem of a drift from the land, which is both depriving agriculture of needed labour and creating risks of unemployment and under-employment in the main towns. The Government also experiences competition from the oil companies in securing the services of technical and administrative staff and consequently has difficulty in improving its administration and services.

13. The fundamental problem of the risk of inflation arising from rising wages and rising costs, especially in rents and services, is not being neglected. The problem is under constant study and all necessary measures will be taken to ensure that inflationary pressures are held to a minimum and that the very real dangers inherent in this situation are avoided so far as possible.

14. One of the most important problems, and certainly the most relevant in the present context, is to ensure that the revenues derived from petroleum production are used to the best advantage for the advancement of the Libyan economy as a whole. The greatest effect of oil exploitation will be on government revenues and legislation has been enacted which provides that 70 per cent of the oil revenues accruing to Libya shall be devoted to

development works. It now remains to complete the administrative reorganization and planning which will secure wise and beneficial investment of these funds. The Libyan Government is aware of the pitfalls which must be avoided, of the dangers of too great a concentration on large-scale public works and grandiose but unfruitful enterprises. It is aware also of the need to correct the present imbalance in the economy; to provide more favourable conditions for the rural population through the development of agriculture, to provide necessary basic social services and to invest in those projects giving economic returns; and in these ways to make the maximum contribution to the economic and social development of the country. In the paragraphs which follow are set out some of the measures which are being taken to ensure that the country's new resources shall be wisely used.

#### DEVELOPMENT AGENCIES

15. Legislation has recently been enacted and other measures are being taken for the improvement of the machinery for the planning, financing and execution of development projects in Libya. Hitherto, the machinery set up for the development of Libya has tended to become increasingly complex: responsibility has been divided, planning by the agencies has been on an individual and *ad hoc* basis, whilst co-ordination to the extent necessary has not been possible. In part, this situation arose from the increase in external aid and the creation of new and independent agencies to handle it: in part it was due to the need to offset relative weaknesses in some parts of the government machinery and in part to the necessity for meeting the requirements both of Libya and of those contributing financial or technical aid.

16. There have been two main planning and financing agencies. The first of these, the Libyan Public Development and Stabilization Agency (LPDSA), was constituted in 1952 and has been financed largely from United Kingdom contributions, with additional contributions from Egypt, France, Italy, Pakistan and Turkey. In 1958, the United Kingdom grant was discontinued and the Agency has since operated with funds provided through the Ministry of Finance. At times the Agency has acted as executing agency for its own projects and for the Government or other agencies; it has also served the Government as adviser on engineering and public works matters and has been responsible for relief works and the distribution of emergency grain supplies. The second financing agency, the Libyan-American Reconstruction Commission (LARC), was set up in 1955 to utilize the economic assistance provided by the United States Government. The Commission was created essentially as a programming and financing agency and the whole of its development programmes have been entrusted for execution to other Libyan Government agencies, especially to the Libyan-American Joint Services (LAJS). As both the Commission and the Agency are to be dissolved, they have been mainly concerned during the past year with the completion of projects begun in earlier years.

17. The LAJS in the fields of agriculture and natural resources, education and health were also established in 1955, primarily to be the executing agencies for the majority of the Commission's development projects. They have also conducted a number of technical assistance projects with support from the Commission's funds. The LAJS as a whole are directed jointly by the Under-Secretary of State of the Ministry of Finance and the Director of the United States Operations Mission

(USOM) in Libya. The heads of the appropriate Libyan federal departments and senior USOM advisers act as co-directors of the three joint services, each of which is intended to be an integral part of the federal department concerned. Similar arrangements exist at the provincial level.

18. Under its Director, USOM provides the policy making, programming and administrative resources which guide, in consultation with the Government, United States financial and technical aid operations in Libya. The majority of United States technical assistance personnel in Libya serve with LAJS in operational and executive positions, some acting also as advisers to the Government. A number of experts, however, have no connexion with LAJS and serve solely as advisers to the Government.

19. At the request of the Government, the United Nations and its specialized agencies have undertaken many activities and projects in Libya: these are co-ordinated by the Resident Representative of the Technical Assistance Board, who acts also as the channel of communication with the Government, especially in the preparation and progress of the country programme and in policy matters. At the technical level there is direct contact between the experts and the government departments concerned. These experts serve the Government in an advisory capacity although hitherto a small number have been asked by the Government to assume executive responsibilities when non-availability of technically qualified Libyan staff has made this necessary. The Expanded Programme of Technical Assistance cannot provide funds for Libyan development, but small amounts of equipment and supplies have been given to support certain projects.

20. It is anticipated that a certain amount of technical assistance will be made available to Libya by the Government of the Federal Republic of Germany and possibly by the Government of Japan. In addition to the foregoing agencies, some finance for development is provided through the ordinary budgets of the Federal Government and the provinces, and through the Federal Exceptional Budget. A further financial institution, the National Agricultural Bank, exists to provide credit to farmers and agricultural co-operatives. The National Bank, although not a development agency, has an important position as financial adviser to the Government and participates in the formulation of the economic policy of Libya.

21. A Development Council was established in 1956 to meet the pressing needs for over-all planning and co-ordination brought forth by the rapid growth in the volume of financial and technical assistance and the setting up of independent agencies which led to the complex machinery described above. Members of the Council were appointed in their personal capacities, but its advisers and observers were representative of all departments and agencies concerned with development in Libya. This, combined with interlocking representation on the boards of the other agencies and contact and consultation at all levels amongst the agencies and government departments, made some degree of co-ordination possible.

22. However, although the Development Council had been established as a planning, programme and co-ordinating body, it lacked sufficient authority and staff for a fully adequate performance of these functions. Consequently, its role was somewhat restricted but it nevertheless performed valuable functions in economic analysis and research, in occasional programming opera-

tions, in advising in respect of development plans and projects, and in the co-ordination of technical assistance activities.

23. The continued growth of development funds and technical assistance, the pressing need for improved co-ordination and the requirement that development should proceed within the framework of a single over-all plan, have pointed to the urgent necessity for the establishment of a single development authority. After long and careful consideration, legislation has now been enacted establishing a new Development Council, which will be Libya's sole planning and financing agency for development purposes. The Council is to be composed of five Libyan members representing the Federal Government and the provinces; responsibility for development planning will thus be vested in the Libyan Government. The Development Council has authority for long-term planning, programming, financing, the supervision of implementation of programmes, the co-ordination and management of all technical assistance and economic analysis and research. The formulation of a long-term plan and annual development budgets will make possible greatly improved investment of capital resources and better use of technical assistance personnel.

24. The existing planning and financing agencies, LARC and LPDSA, are to be liquidated and LAJS will be disbanded. The execution of development programmes will in future be mainly through the Federal Ministries and provincial administrations although in exceptional cases the Development Council will be responsible. The United States technical assistance personnel will henceforth serve as advisers to the Government: the departments concerned will absorb their executive functions and also the Libyan and other non-American staff of LAJS. When these measures for reorganization are complete, it is expected that much improved utilization of resources available for the development of Libya will result.

#### DEVELOPMENT PLANNING

25. The third important development of the past two years is one which is directly related to the changes which are now being effected in the structure of Libya's development machinery: it is the completion and submission to the Government of Libya of the final report of the survey mission of the International Bank for Reconstruction and Development (see para. 6 above).

26. The need for a gathering together of available information and for an up-to-date survey of the country's economic, social and administrative situation has long been felt but has hitherto been beyond the available man-

power resources. The report largely meets this need and thus provides one essential foundation for future development planning. It also meets the more urgent need for the outlines of a long-term development plan, the preparation of which has been desired for some years, but which has necessarily been deferred because there have not been sufficient professional staff available to undertake the work involved.

27. As the report has but recently been transmitted to the Government, it is too early to define the reaction to all its many recommendations. However, there can be no doubt that it does indeed provide a most valuable starting point for development planning in Libya. The recommendations relating to the development plan have been most carefully worked out and special regard has been given to the extreme difficulty experienced in forecasting the revenues likely to be available for development purposes: provision has been made for the most likely eventualities.

28. It is fully realized, of course, that the report provides a starting point and that a considerable effort must be made to formulate a realistic and effective long-term plan, to translate this plan into annual development budgets which will meet the most urgent priorities and to ensure that these programmes are efficiently and rapidly implemented. The new Development Council, working in close co-operation with the Federal Ministries and provincial administrations is designed to ensure that these objectives are achieved.

#### DEVELOPMENT PROGRAMMES

29. In the report which was transmitted to the Secretary-General in 1958 (A/3961) on the occasion of the last General Assembly debate on assistance to Libya, a broad general description was given of the activities which had been or were currently being financed in order to promote the economic and social development of Libya. Full details were also recorded of the technical assistance which had been in the past, and was then being, rendered to Libya by the United Nations. Largely because so much of both the development activity and the United Nations assistance to Libya is of a continuing nature, it is not proposed to repeat in this report all the details that were set forth in its predecessor. With the greater volume of information on development activities in Libya now available,<sup>5</sup> such duplication of material would appear to be unnecessary.

<sup>5</sup> See the report of the survey mission of the Bank mentioned in para. 6 above and the two reports of the Development Council referred to in note 4 above.

Table 1

## CONTRIBUTIONS TO DEVELOPMENT FUNDS (1952-1953 TO 1959-1960)

ALL AGENCIES

(In thousands of Libyan pounds)

Agency	1952-1953		1953-1954		1954-1955		1955-1956		1956-1957		1957-1958		1958-1959		1959-1960	
	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total
Libyan Public Development and Stabilization Agency <sup>a</sup> . . . . .	358	100	850	100	833	70	761	13	1,022	21	746	8	1,196	21	257	4
Exceptional Budget <sup>b</sup> . . . . .	—	—	—	—	—	—	1,175	20	550	11	1,650	17	—	—	—	—
Libyan-American Reconstruction Commission and United States Operations Mission <sup>c</sup> . . . . .	—	—	—	—	357	30	3,929	67	3,214	67	7,196	75	4,713	79	5,715	96
TOTAL	358	100	850	100	1,190	100	5,865	100	4,786	100	9,592	100	5,909	100	5,972	100

<sup>a</sup> Funds provided principally by the United Kingdom, with smaller contributions from Egypt, France, Italy, Pakistan and Turkey. In 1958-1959 the United Kingdom contribution was replaced by £L 1 million from funds received from the United States Government, and the allocation of 25 per cent of contributions to the stabilization fund was discontinued. In 1959-1960 LPDSA has been allocated only small sums by the Ministry of Finance for urgent new and continuing works.

<sup>b</sup> Financed from domestic budgetary funds.

<sup>c</sup> Financed by United States funds. In 1959-1960, these funds were not allocated through LARC but were passed directly to the Ministry of Finance and the agencies responsible for the execution of projects.

Table 2

## ALLOCATION OF DEVELOPMENT FUNDS BY FIELD OF ACTIVITY (1952-1953 TO 1959-1960)

ALL AGENCIES

(In thousands of Libyan pounds)

Field of activity	1952-1953		1953-1954		1954-1955		1955-1956		1956-1957		1957-1958		1958-1959		1959-1960	
	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total	£L	Per cent of total
Agriculture, Forestry and Fisheries	56	17	131	16	96	11	630	11	1,012	13	208	3	565	10	724	12
Water development . . . . .	52	16	94	12	126	15	689	11	772	11	371	5	421	7	602	10
Public utilities . . . . .	102	32	237	29	179	21	1,239	21	1,738	24	1,609	22	681	12	1,893	33
Transport . . . . .	52	16	207	26	214	25	693	12	1,187	16	970	13	1,347	24	258	4
Communications . . . . .	—	—	—	—	—	—	295	5	480	7	1,428	19	714	12	498	9
Education . . . . .	38	12	72	9	107	12	294	5	403	5	615	8	1,279	23	823	14
Health . . . . .	10	3	41	5	147	17	480	8	294	4	226	3	454	7	436	9
Banks . . . . .	—	—	—	—	—	—	1,200	20	500	7	—	—	—	—	—	—
Miscellaneous . . . . .	13	4	22	3	—1	—	416	7	895	13	1,953	27	268	5	541	9
TOTAL	323	100	804	100	868	100	5,936	100	7,281	100	7,380	100	5,729	100	5,775	100

Table 3

## ALLOCATION OF DEVELOPMENT FUNDS (1952-1953 TO 1959-1960)

## AGRICULTURE AND WATER RESOURCES

(In thousands of Libyan pounds)

<i>Project group</i>	<i>1952-1953 to 1957-1958</i>	<i>1958-1959</i>	<i>1959-1960</i>	<i>Total</i>
Animal husbandry . . . . .	359	30	134	523
Grain storage . . . . .	110	—	—	110
Tools and machinery . . . . .	99	44	63	206
Industry and processing . . . . .	290	148	39	477
Land settlement . . . . .	156	27	46	229
Assistance to co-operatives . . . . .	70	27	1	98
Education and training . . . . .	308	71	175	554
Buildings and research . . . . .	259	51	42	352
Forestry and dune fixation . . . . .	314	114	130	558
Horticulture and tree crops . . . . .	163	57	94	314
Fisheries . . . . .	5	—4	—	1
Ground-water investigations . . . . .	138	98	132	368
Irrigation . . . . .	580	46	52	678
Soil and water conservation . . . . .	1,200	266	407	2,008
Stock wells and cisterns . . . . .	135			
Geological mapping etc. . . . .	51			
TOTAL	4,237	986	1,326	6,549

Table 4

## ALLOCATION OF DEVELOPMENT FUNDS (1952-1953 TO 1959-1960)

## PUBLIC WORKS

(In thousands of Libyan pounds)

<i>Project group</i>	<i>1952-1953 to 1957-1958</i>	<i>1958-1959</i>	<i>1959-1960</i>	<i>Total</i>
Domestic water supplies . . . . .	1,028	136	251	1,415
Electricity supplies . . . . .	4,053	568	1,642	6,263
Ports and harbours . . . . .	687	113	—	800
Roads . . . . .	2,117	1,125	179	3,421
Airports . . . . .	519	80	79	678
Railways . . . . .	—	29	—	29
Telecommunications . . . . .	1,137	714	498	2,349
Broadcasting . . . . .	1,066	—	—	1,066
TOTAL	10,607	2,765	2,649	16,021

Table 5

## ALLOCATION OF DEVELOPMENT FUNDS (1952-1953 TO 1959-1960)

## EDUCATION AND HEALTH

(In thousands of Libyan pounds)

<i>Project group</i>	<i>1952-1953 to 1957-1958</i>	<i>1958-1959</i>	<i>1959-1960</i>	<i>Total</i>
School construction . . . . .	453	547	432	1,432
University of Libya . . . . .	160	161	—20	301
Technical education . . . . .	212	58	44	314
Teacher-training colleges . . . . .	313	—7	53	359
Fellowships . . . . .	214	92	1	307
Educational aids . . . . .	177	29	27	233
Teachers for schools . . . . .	—	399	286	685
Public health . . . . .	114	53	178	345
Trachoma control . . . . .	196	132	—	328
Hospitals . . . . .	679	229	252	1,160
Ambulatoria and dispensaries . . . . .	109	40	6	155
Training . . . . .	100	—	—	100
TOTAL	2,727	1,733	1,259	5,719

Table 6

## ALLOCATION OF DEVELOPMENT FUNDS (1952-1953 TO 1959-1960)

## OTHER PROJECTS

(In thousands of Libyan pounds)

<i>Project group</i>	<i>1952-1953 to 1957-1958</i>	<i>1958-1959</i>	<i>1959-1960</i>	<i>Total</i>
Government buildings and equipment . . . . .	2,742	17	-11	2,748
Community development . . . . .	36	55	108	199
Housing and resettlement . . . . .	195	16	—	211
Antiquities . . . . .	21	7	5	33
Tourism . . . . .	36	3	—	39
Public information . . . . .	—	14	12	26
Economic survey . . . . .	107	—	—	107
Special projects . . . . .	25	-25	116	116
National Bank of Libya . . . . .	700	—	—	700
National Agricultural Bank . . . . .	1,000	—	—	1,000
Libyan-American Joint Services . . . . .	136	181	311	628
<b>TOTAL</b>	<b>4,998</b>	<b>268</b>	<b>541</b>	<b>5,807</b>

30. Of necessity, the greater part of the financing for Libyan development programmes has been derived from external assistance, notably from that provided by the Government of the United States of America. Table 1 of this report sets out the contributions to development funds made in the financial years to 1959-1960. The financing of LARC and USOM activities is from United States aid funds. In 1958-1959 and in 1959-1960, LPDSA was provided with funds through the Ministry of Finance. Both LARC and LPDSA have concentrated in the past year in completing projects begun in earlier years and only the most urgent new work has been undertaken. The majority of projects financed under the United States programme are continuing with funds provided directly to the action agencies by USOM through the Ministry of Finance.

31. No new funds have been allocated through the Exceptional Budget in the past two years: funds voted in previous years are being used to complete projects for the development of agriculture, water resources and tourism and for the construction of the new administrative centre at El Beida.

32. As the development of the country proceeds, a heavy burden is imposed upon the ordinary budget of the State: increasingly large expenditures must be made for economic and social services, for the recurrent costs of completed development projects and for the maintenance of development services, especially in agriculture, education and health. The recent rise in government revenues has been absorbed to a great extent by such expenditures; nevertheless, it has been possible to set aside sums in both federal and provincial budgets for capital development projects, some of which are of substantial size.

33. The scale of total allocations made by all financing agencies (other than the ordinary federal and provincial budgets) and the distribution of these expenditures between the main fields of development activity are shown in table 2 of this report. In the subsequent tables, these allocations are broken down to project groups, to give a more detailed picture of the way in which development funds have been utilized, particularly in the past two years. Although many new activities, and a number of new projects, are included in these project groups, they represent for the most part the continuation of those

development works which meet Libya's most urgent requirements. This does not mean that the programme is either rigid or static. Many projects, such as the agricultural and technical schools, remain as they are because they meet important and continuing needs. Others, such as soil and water conservation or public health, also meet such needs but move to new areas or take new directions. All are considered, however, as continuing projects. Some account of these continuing activities is contained in the previous report.

34. New projects which have been started or planned within the period covered by this report are diverse in character and cover the entire field of economic and social development. Thus, in agriculture, a new programme for the repair and construction of water storage cisterns is under way and will provide greatly improved water resources for the agricultural population over a wide area. An experimental plant for the manufacture of syrup from dates is now operating and it is intended to improve its equipment and output in the near future: the plant provides an outlet and a use for coastal-grown dates which, because of high moisture content, neither keep, nor find a ready market.

35. Libya's urgent needs in the field of education are great and increasingly urgent as the demand for skilled personnel grows. Apart from meeting the requirement for basic education, every effort is being made to provide technical training also. An appropriate instance is the creation of a Libyan institute of higher technology with assistance from the Special Fund. The institute will, when completed, give instruction to university standard in engineering and food technology. Other new training facilities are in operation or are planned, including a new nurses' training school which is to be set up in Benghazi.

36. A major addition to the communications system, so important in a country of such vast area and with so scattered a population as Libya, is the new road now being built to link the Fezzan with the other provinces. In the same field, plans for the repair and reconstruction of Benghazi harbour have now reached the contract stage: when this work is completed the province of Cyrenaica will have much improved port facilities.

37. Smaller projects are not being neglected: for example, finance has been supplied for a fishermen's co-operative, which will be provided thereby with a new

fishing vessel and gear. This is a first step in the development of Libyan fisheries, which will proceed at an increasing pace in the next few years as a new fisheries administration is set up and training and marketing are facilitated by technical assistance. Finance has also been provided in recent years for a community development programme and this also is being expanded and extended with an increased allocation in the current financial year.

38. The Government is mindful of the desirability of encouraging private enterprise to play its full part in the development of Libya and especially in the establishment or extension of industrial activities which will provide alternative employment opportunities and a broader basis for the economy. Existing legislation is being actively utilized to assist Libyan entrepreneurs who wish to set up or extend industrial enterprises: similarly, foreign investment in sound enterprises which will benefit the economy is also encouraged and helped by a law enacted for this purpose. A number of new private enterprises have been begun in recent years and investment for the improvement of existing industries has also taken place: there is, however, considerable scope for further activity in the private sector. Much the largest and most important private investment in Libya is, of course, in oil exploration. To this will shortly be added the construction of pipe-lines and oil terminals on the coast. It may be hoped that subsequently related industries will come into being, assisting in the diversification of the economy and the furtherance of the development of Libya.

39. In order that the economic and social development of the country may keep pace with the rapid expansion of activities due to oil exploitation, the Government has decided that 70 per cent of all petroleum revenues shall be set aside for basic development schemes. In the next few years, Libya must continue to rely heavily upon external financial assistance to maintain a satisfactory rate of growth. Thereafter, revenues from petroleum production will enable the country to take over an increasing proportion of the financing of development activities and in the longer term, to become financially self-supporting. There is thus a good prospect that Libya will be able to provide for both ordinary budgetary expenditures and development financing without benefit of grants and gifts from external sources.

40. The need for technical assistance, however, will continue for many years. Considerable efforts are being made to train Libyans in technical and professional skills and plans are well advanced for the provision of greater educational and training facilities. But to equip adequate numbers with the necessary skills and to provide them with sufficient experience for the higher professional and technical posts of necessity takes many years. In the meantime, Libya will need more than ever the technical assistance supplied by the United Nations and the help of Member Governments.

#### UNITED NATIONS ASSISTANCE TO LIBYA

41. Since, under United Nations auspices, Libya became an independent country in 1951, the assistance supplied by the United Nations has been an indispensable factor in the country's development. Experts from almost all United Nations specialized agencies have given, and are giving, technical advice and aid in nearly all aspects of the economic and social development of Libya.

42. In the previous report to the Secretary-General (A/3961), a full account was given of the part played by the United Nations in Libya's development and of the activities of the specialized agencies and experts. For

the most part, these activities are continuing and represent projects begun in earlier years: it is thus unnecessary to give here the details set out in the last report.

43. The fact that so many of the projects which make up the programme of United Nations activities in Libya are of a continuing nature is an indication of their value and their usefulness in promoting the growth of the economy. Because these activities begun in earlier years meet urgent needs to which the Government attaches the highest priority, it finds it necessary each year to request their further continuation. It is thus difficult to find room, within the limited budget available for United Nations aid to Libya, for many of the new projects which the Government would greatly desire and which it knows to be of the utmost importance. For this reason, the Government is much disturbed by successive decreases in the level of assistance to Libya, which reduce each year the possibility of introducing new United Nations projects. The Government hopes that favourable consideration will be given to restoring assistance to Libya to former levels and, if this should be possible, to making some increase in the volume of aid.

44. Despite the need to continue so many previously operating projects and although the reduction in the level of aid has made it difficult to do so, it has been possible, nevertheless, to introduce a few new projects into the Libyan programme in the last two years. Thus, the new Libyan social insurance scheme which came into effect last year was greatly assisted in its early stages by experts in social security, administration, accounting and training supplied by the International Labour Organisation (ILO), which had for some time previously provided assistance in planning and preparation for the national social insurance institution.

45. In agriculture, a new project for livestock production has begun, with assistance from the Food and Agriculture Organization of the United Nations (FAO), which is much wider in scope than an earlier enterprise in this field. Also with technical help from FAO, an experimental plant is now operating for the production of syrup from coastal dates for which other uses are limited by considerations of quality. A marketing expert to advise on the marketing of produce passing through a cold storage plant shortly to be erected in Benghazi is being provided by FAO.

46. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has recently assigned a technical adviser on education who is now assisting the Fezzan administration. UNESCO is also sending an expert in audio-visual teaching aids to the fundamental education centre in Cyrenaica.

47. A number of short-term consultants have been assigned to Libya in the last two years by United Nations specialized agencies. Recent visits have resulted in valuable recommendations for the development of fisheries, for the improvement of tobacco production and for the establishment of libraries. A larger number of new activities are included in the country programme for 1961 and 1962, and it is hoped that further short-term specialist investigations will be made in those fields where basic information is most needed.

48. Not only does Libya receive technical assistance under the Expanded Programme, but substantial contributions have been made under the regular programmes of several agencies, more particularly the United Nations Bureau of Technical Assistance Operations, the World Health Organization (WHO) and UNESCO. This

additional help has been greatly appreciated and has had a considerable impact in the fields of activity concerned.

49. The Government has welcomed the new United Nations scheme for providing operational, executive and administrative personnel to work in government services (OPEX), which has already proved its value in Libya. The experience of the first years' operation has demonstrated that the OPEX programme can meet the need for technical personnel in executive positions where the recruitment of expatriates would otherwise prove difficult and costly to the Government concerned. Although, as a general principle, Libya would subscribe to the view that expatriates should be employed only in advisory roles, the acute shortage of technically qualified Libyans makes this ideal impossible of realization at present.

50. A second new United Nations enterprise is also rendering substantial aid to Libya: the Special Fund has undertaken to meet part of the cost of establishing a Libyan institute of higher technology (see para. 35 above). The institute will give training to university standard in several branches of engineering and in food technology and will make a major contribution towards meeting the country's most pressing requirements for well qualified technical personnel. A second and smaller project to train technicians in telecommunications and radio engineering is now before the Fund: if approved it will also provide skilled personnel in a vital field. Distances between population centres in Libya are great and there is a fundamental requirement for a good telecommunications system such as is now being created. Further project proposals may be submitted to the Special Fund in due course.

51. Libya has welcomed the opportunity to participate in the first year's work of the Economic Commission for Africa. The advantages arising from full co-operation between African countries in solving their common economic problems are obvious and Libya looks to the Commission for a lead in this respect and for providing opportunities for countries of the continent to contribute experience and assistance for mutual development.

52. The IDA, which is now being set up under United Nations auspices, is a most valuable addition to the international financing institutions. It may be found that the provision of finance on the terms proposed for IDA could help to meet some of Libya's needs in this respect during the period before oil revenues accrue in sufficient quantities.

53. The responsibility for co-ordinating all United Nations activities in Libya, including the Special Fund and the OPEX programme, rests with the Resident Representative of the United Nations Technical Assistance Board. Together, officials and experts of the United Nations and its specialized agencies serving throughout the country have provided Libya with a considerable and invaluable contribution of assistance and advice. The aid supplied by the United Nations is deeply appreciated within Libya and has helped to make possible a substantial measure of economic and social advance which could not otherwise have been achieved. It is the earnest hope of the Government of Libya that the United Nations will continue to show the same interest and to provide aid to the efforts of the Government and people of Libya as these factors are essential for the further progress which is to be made.

## DOCUMENT A/4585

### **Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States Report of the Secretary-General**

*[Original text: English]  
[22 November 1960]*

1. At its fourteenth session, the General Assembly invited the Economic and Social Council "to make a study, under Article 62, paragraph 1, of the Charter of the United Nations, of all opportunities for international co-operation which could be of interest to the former Trust Territories which have become independent within the spheres and in the framework of programmes of international assistance" (resolution 1414 (XIV)). The General Assembly also invited the Secretary-General and the executive heads of the specialized agencies concerned "to give urgent and sympathetic consideration, without prejudice in any way to present assistance being given to other States Members of the United Nations, to all requests which they might receive to provide Territories emerging from a trust status or newly independent States with: (a) Such high-level technical experts as they might desire; (b) All other forms of technical aid required by the special circumstances in which they have acceded to independence" (resolution 1415 (XIV)).

2. Pursuant to these resolutions, the Secretary-General submitted a memorandum to the Economic and Social Council at its twenty-ninth session (E/3338) and a report to its thirtieth session (E/3387 and Add.1) in which he made some observations on the scope and urgency of the problem, as well as on the special character

of the contribution which the United Nations could make. Information concerning the specialized agencies, based on the results of consultations between the Secretary-General and the executive heads of the agencies and the International Atomic Energy Agency (IAEA), was summarized in an addendum to the report (E/3387/Add.1). In both documents the Secretary-General formulated proposals designed to meet, within the existing United Nations machinery, some of the immediate needs which derive from transitional problems faced by countries reaching their independence.

3. The unanimous recognition of the necessity for prompt and effective action and the general agreement with the proposals made by the Secretary-General which were expressed in the debate at the Council resulted in resolutions 752 (XXIX) and 768 (XXX), in which the Council endorsed the objectives and principles set forth by the Secretary-General. Stressing the fact that the emergence of newly independent States in Africa and elsewhere called urgently for additional international assistance, the Council stated that special efforts must be made to provide, within the existing framework of the United Nations and the specialized agencies, prompt and effective assistance to those countries, including the provision on an adequate scale of operational, executive

and administrative personnel. Under Council resolution 768 (XXX), the Secretary-General and the Executive Chairman of the Technical Assistance Board were requested "to prepare, so far as possible, detailed programmes for consideration, respectively, by the General Assembly at its fifteenth session, and by the Technical Assistance Committee at its November 1960 session, for meeting the additional needs of newly independent and emerging States, without prejudice to assistance to other countries". The Council recommended that the General Assembly make appropriate provision for these purposes in the budget of the United Nations.

4. The accession of seventeen States to political independence and membership of the United Nations this year has given added weight to the above decisions and recommendations; and at the current session of the General Assembly, the magnitude of the assistance needed to buttress the efforts of the newly independent countries themselves has been repeatedly emphasized. The greatest part of the assistance so far rendered has been through bilateral channels, and it may be expected that such aid will not only continue, but increase. The United Nations, however, also has a role to play—a modest role, perhaps, in financial terms but one none the less of immense significance, deriving not only from the very character of the United Nations itself but also from its special responsibilities to those countries and its relation to their national independence. The principles and basic rules that govern the United Nations activities in technical assistance are well known to the General Assembly. Based originally on the provisions of resolution 200 (III), they have been developed over the years in close co-operation with recipient Governments and have proved their usefulness in varied and sometimes difficult situations. The Secretary-General has, therefore, proposed that the necessary increased action be undertaken by means of the existing machinery.

5. The special problems of transition to independence have been outlined in the two documents mentioned in paragraph 2 above and submitted earlier this year by the Secretary-General to the Economic and Social Council. To quote from the first of these documents: "In the most general terms, these problems are well known, but they are many-sided and vary greatly in their incidence from one case to another. It will suffice to mention some of the more important of them likely to be encountered in some degree by most of the countries concerned: an acute shortage of trained personnel; a need to maintain or establish a core of technical services, in view of the deficiencies in training and general educational facilities; an all-pervading need to accelerate the pace of educational advance; a need to continue, and in some cases to develop, basic economic information and the collection of technical information regarding the country's natural and human resources; a need for expertise in the allocation and management of resources; a need for consultative services—particularly for experienced people who can be turned to for help in working out constructive prospects that might lead to sound investment, private or public (the need in Africa for linking advisory services with financial and material aid was specially stressed in the recent annual report (E/3320) of the Economic Commission for Africa). At the moment of transition to independence, new countries often have to take basic decisions which are likely to determine for many years the pattern of their national life as well as their relationship with the rest of the world. Assistance to them by the international community in assuring the continuity of essential services and in the first steps towards evolving

national economic and social policies—as the Libyan experience has demonstrated over the past several years—is likely to yield high returns and reduce the cost of the transition to the countries concerned, as well as to the world economy."<sup>6</sup>

6. The Council at its thirtieth session asked the Secretary-General to elaborate on his earlier statements by preparing so far as possible detailed programmes for the consideration of the General Assembly. It was obviously necessary to base such detailed programmes on studies made by the Governments themselves in consultation with the United Nations. At the invitation of the Governments concerned, a mission headed by the Executive Secretary of the Economic Commission for Africa was organized to carry out on-the-spot consultations with the Governments of Cameroun, Dahomey, Ivory Coast, Niger and Upper Volta. The purpose was to determine at first hand what the Governments' needs and requirements were, and to explain to them the nature and magnitude of the assistance that could be rendered by the United Nations. This mission has just been completed. It has resulted in provisional programmes being drawn up which are intended to meet the most urgent needs felt by the Governments concerned in a number of areas of economic and social development. Missions with similar purposes have also been undertaken in some other countries for which no programmes have been carried out in the past. In addition, consultations have been and are being conducted between certain Governments and Resident Representatives of the Technical Assistance Board or other officials on *ad hoc* missions. Consideration is being given to the appointment of Resident Representatives for a number of countries or groups of countries and for the continued utilization of special missions for the purpose of consulting individual Governments.

7. A summary of the provisional programmes for Cameroun, Dahomey, Ivory Coast, Niger and Upper Volta is given in the annex to this report and shows the distribution of requests by type of activity, number of experts and fellowships, and total cost involved, including equipment. The annex also covers programmes for Nigeria, Togo and Somalia which were prepared earlier in the year on the basis of resources anticipated at that time. The latter programmes were kept strictly within the target figures established at that time, but, even so the demands of the countries proved to be much in excess of the targets. This situation led to the establishment of a number of supplementary programmes of recognized urgency which cannot be accommodated within existing budgets.

8. Just as it would be hazardous, on the basis of the programmes outlined in the annex, to make generalizations about the pattern of needs of the new States of Africa or even about the similarities evident in the programmes included, so it would be premature to assume an identity of needs or of methods in meeting them among all the countries concerned, particularly as no examination has yet been made of the situation in a number of countries which have just attained independence. Types of needs and corresponding assistance vary from country to country. Nevertheless, a number of common features are already discernible. First of all, attention must be drawn to the fact that a basic need underlying the efforts of many recently emerging countries towards

<sup>6</sup> *Official Records of the Economic and Social Council, Twenty-ninth Session, Annexes, agenda item 10, document E/3338, para. 3.*

economic and social development is that for qualified personnel in the entire range of development activities. This need, which is critical in terms of both urgency and numbers, cannot be met by any single method. It requires a variety of approaches covering a large number of fields as well as many different levels of skills. The provision of experts from abroad can provide only partial and temporary relief. What is needed above all is the provision of intensive and accelerated training for local personnel.

9. The United Nations has had considerable experience in the field of training, which has always been an integral part of its technical assistance programmes. The provision of fellowships, the organization of short-term seminar and training courses, and the establishment of training centres are among the methods used. The specific and urgent needs of newly independent countries, especially in Africa, are still in the course of being reviewed. In certain fields it is however not too early to state that more intensive methods, if not a new approach, will have to be applied on a scale which would require the full co-operation of the United Nations family as well as of the other programmes to make them effective. One of these methods is assistance in the creation of training and research centres serving several countries. Such establishments would obviate heavy investments in national institutions by countries with only small populations and resources, and may prove to be particularly appropriate as regards research and training in economics, statistics and demography. Seminars and study tours on a regional basis and regional surveys could be organized by the Economic Commission for Africa in a number of fields, such as industry, transport and natural resources, budget, low-cost housing and community facilities within community development programmes. In certain subjects, such as public administration, however, it seems likely that training will continue to be organized on a national basis.

10. Public administration, which straddles the entire range of administrative activities, is indeed among the areas of very high priority. The programme for operational, executive and administrative personnel (OPEX) which the General Assembly has been asked by the Economic and Social Council to place on a continuing basis is particularly suited to serve the needs of the newly independent countries, by placing at their disposal capable and disinterested experts who, under the control of the respective Governments, can fill gaps in the administrative machinery and public services during the emergency period until they can be replaced by trained officers from the country itself.

11. The requests illustrated in the annex also bring out strongly the urgent necessity of carrying out a number of tasks which are prerequisites for the development of further international assistance and the formulation of national policies. These tasks include the organization and improvement of statistical surveys and services, cartographic surveying and mapping (including geological and related mapping), short-term economic and social surveys, population census and demographic analysis (including manpower surveys and projections), preliminary surveys of natural resources, and surveys of transport requirements.

12. In Cameroun, Dahomey, Ivory Coast, Niger, and Upper Volta, the planning authorities have initiated extensive studies of the economic and social conditions in the country. Such studies are designed to assist the Government in the formulation of economic development

programmes and in the assessment of needs for technical assistance under bilateral and international programmes. In the requests of the Government of the Ivory Coast, great emphasis is placed on statisticians and economic and other research staff in order to enable the Government to complete its comprehensive socio-economic survey of the country. The Governments of Upper Volta, Niger, Dahomey and Cameroun have also presented requests for expert assistance for economic and industrial surveys combined with fellowship training in related fields.

13. The revision of revenue, budget and credit structure in these countries has been made urgent by independence, because such a revision is essential to enable them to cope with the new and pressing need both for an immediate expansion of the conventional services of the Government and for the financing of economic development. In most of these countries, centres for training in the general fields of public administration have been established and expert assistance is being provided under bilateral programmes. However, many Governments have requested expert advice as well as specialized training in accounting, taxation, financial administration and the administration of justice.

14. With respect to the productive sectors of the economy, heavy emphasis is laid on the development of water resources. The needs for development of mineral resources are also brought out and requests have been made for such services in countries where requirements are not being fully met under other aid programmes. Many countries, such as the Cameroun and Dahomey, have requested expert assistance for the evaluation of certain industries. Other requests are related to the development of the infrastructure, such as general surveys of the transport system, roads and housing.

15. The Governments attach high importance to assistance in the fields of education, agriculture, technical training, health and social services. While the requests, as seen in the annex, include projects in community development and social services, requests for assistance in the other fields have been directed to programmes of the relevant specialized agencies.

16. The current requests are largely preliminary and only to this extent serve to define the nature of the requirements of these Governments for assistance under the United Nations programme. The Governments have indicated that they will transmit further requests which may also need evaluation and revision in consultation with the United Nations. In the preparation of these requests, the Governments have to take into account the other bilateral and multilateral programmes of assistance in order to ensure adequate co-ordination within a broad and comprehensive programme.

17. It must be borne in mind that the five countries visited by the mission under the leadership of the Executive Secretary of the Economic Commission for Africa constitute barely one-third of the countries that have attained independence in 1960, and that their population represents less than one-fifth of the total population of those countries. The immediate requests for technical assistance from those five countries alone—and there will be further supplementary requests of an equally urgent nature which could not be formulated at the time—call for an estimated expenditure of about \$3.2 million, excluding certain essential items of equipment, for the two-year period 1961-1962.

18. The programmes for the three other countries considered in the annex, Nigeria, Somalia and Togo,

were prepared earlier and are based on governmental requests which call for an outlay of \$1.3 million, from which 60 per cent had to be cut because of the limitation of available financial resources. Should new resources become available, the existing programmes would be supplemented accordingly. A somewhat similar situation—namely, the existence of a reservoir of approved projects for which funds are still unavailable—applies in respect of most of the other newly independent countries.

19. The total cost of the requests or programmes submitted by the Governments of the eight countries considered in the annex to this report amounts to about \$4.5 million. This sum represents only a part of the requests that the United Nations must expect, as requests have not yet been received nor programmes drawn up, for the other newly independent States. On the basis of the requests received from these eight countries, it is reasonable to expect that requests from all newly independent countries will be of the order of \$10 million for the two-year period 1961-1962. This figure includes provision for an African regional programme which the Secretary-General, after consultation with the Economic Commission for Africa, has concluded could reasonably amount to about \$800,000 for the two-year period.

20. As regards resources currently available to meet these requests, the following sums were appropriated for 1960 regular programmes, under the General Assembly resolutions indicated:

	<i>(Thousands of United States dollars)</i>
Resolution 200 (III) on technical assistance for economic development . . . . .	480
Resolution 723 (VIII) on technical assistance in public administration . . . . .	300
Resolution 1256 (XIII) on United Nations technical assistance in public administration . . . . .	300
Resolution 418 (V) on advisory social welfare services . . . . .	1,200
TOTAL	2,280

The funds provided under resolution 200 (III) have remained unchanged for the last decade and those under resolution 723 (VIII) have likewise remained stationary for the last four years. The programme under resolution 1256 (XIII) was adopted only two years ago and was expressly to be on an experimental basis and on a modest scale. Appropriations under this programme will need to be expanded if the General Assembly approves the Economic and Social Council's request that the OPEX programme be put on a continuing basis and given adequate resources. The appropriations under resolution 418 (V) were increased last year by 30 per cent, largely to meet the needs of newly independent countries; the actual composition of the new requests from African countries shows that those additional resources will be inadequate and that some part of the new funds will be needed for priority requests, particularly in the fields of housing, physical planning and building, and community development.

21. The proportion of regular technical assistance funds devoted to the African region has steadily increased in recent years. From 6 per cent in 1955 it rose to 16.3 per cent in 1960. This increase inevitably necessitated a proportionate decrease in the programmes for countries in other regions and any continuation of the trend without an expansion in available funds

would mean still further significant reductions in technical assistance provided under the four resolutions to other parts of the world. The countries which became independent in 1960 have received this year an insignificant percentage of the regular programme, the bulk of the programme having been used for those countries which became independent earlier and for other independent countries and Trust Territories.

22. In the case of the Expanded Programme, the pledges for 1961 indicate an increase in total resources of the order of \$7.8 million. The major part of this increase is to be reserved for the newly independent countries, in the form of a supplementary programme, and the United Nations share for 1961 has been established at \$1.6 million. Thus, without an increase in the budgetary appropriation under the regular technical assistance programme, additional resources available for assisting the newly independent countries would amount to only about \$3 million in 1961-1962, as against anticipated requests amounting to \$10 million.

23. Originally, at the twenty-ninth session of the Council, the Secretary-General proposed an annual appropriation of \$2.5 million for the next two years for this purpose. The Secretary-General later felt it necessary to propose that the appropriations for 1961 and 1962 be combined and a sum of \$5 million be made immediately available in 1961. If this is done, although no forecast can be ventured, it may not be necessary to ask for any additional funds in 1962. In the event of major delays in fully implementing the programme for 1961, the Secretary-General would request an appropriation for 1962 to an amount approximately equal to the balance of funds unspent and surrendered at the end of 1961. It is his intention to submit a full and detailed report on the utilization of the funds to the General Assembly at its sixteenth session, at which time the Assembly may wish to review the entire problem in the circumstances which will then prevail.

24. It is suggested that the distribution of the additional resources among the areas governed by the above resolutions be determined later, as requests of Governments are finalized. In order to provide for maximum flexibility in meeting the needs of the requesting Governments, no proposal is made for an immediate distribution of the additional appropriations. However careful and thorough the current consultations may be, they cannot be expected to yield a definite and fixed programme for the rapidly evolving needs of the newly independent countries over the next budgetary year. To provide the necessary flexibility in the apportionment of these new funds among the four resolutions 200 (III), 418 (V), 723 (VIII) and 1256 (XIII), some transferability of funds as among the budget sections involved will be proposed in consultation with the Advisory Committee on Administrative and Budgetary Questions.

25. It should be emphasized once more that funds which would be appropriated under the present proposals would not be ear-marked for any group of countries. Rather, they are designed to bring the appropriations under the regular programme to a level which will make it possible to satisfy the needs outlined above without reducing the assistance afforded to other countries. Consequently the additional funds, when granted, would be added to the appropriations regularly made under the four resolutions and the entire technical assistance programme governed by these resolutions would be established in relation to the total funds

available. Should it appear that certain countries, as a result of action taken at this session of the General Assembly, receive more than a proportionate share of the total, this should be ascribed to the temporary needs arising from the transition from a dependent to an independent status. In this respect, some countries which have enjoyed independence for a number of years may very well find themselves in a position where they still have not overcome the difficulties of the transition; due regard should be given to their case.

26. The scope and range of the assistance which the Organization can render in response to requests is, of course, determined in the first place by the financial resources that are available, but it should also be pointed out that the translation of such resources into practical form is also directly dependent upon the continued co-operation of Member States. The recruitment each year of several hundreds of qualified experts on a wide geographical basis, particularly in highly specialized fields, is inevitably a somewhat slow and lengthy process, and is often complicated by language requirements. With the expansion of the activities here envisaged in the new Member countries, the task of recruiting will become still more difficult. The Secretary-General therefore expresses the hope that all Member States will take whatever measures may be necessary to facilitate the recruitment of suitable personnel, and help to make them available as and when they are required. The pattern of recruitment may require modification in the light of changing needs, especially in respect of levels of skill and experience to be furnished and of fields hitherto rarely represented in the programme. In this connexion, too, the importance of a flexible approach can scarcely be over-estimated. In view of the rising demand for assistance in the form of equipment for demonstration and pilot projects, the ability of the Organization to meet critical needs would be severely handicapped if the distribution of the new resources into the three traditional categories of assistance, namely experts, fellowships and equipment, were to be too rigidly laid down in advance. A somewhat greater degree of freedom in this respect might well prove to be of great value to the newly independent Member States in the present stage of their development.

27. The possibilities of effective assistance to the newly independent countries through the United Nations are greatly enhanced by the existence of the Economic Commission for Africa. Since its inception, the Commission's secretariat has become increasingly associated

with the planning and execution of technical assistance projects in Africa, particularly at the regional level. At the same time, the intensification of the Commission's activities will lead to the establishment of very close relations with the African Member States. At its second session in Addis Ababa, the Conference of Independent African States expressed the desire of the African countries to take the fullest possible advantage of the existence of the Commission and its secretariat and pledged themselves to collaborate with it in the task of advancing economic and social welfare in Africa.

28. As its activities grow and its staff reaches full strength, the Commission will, it is hoped, become a powerful force in the economic life of Africa. It will thus become increasingly of advantage to the African countries and to the Organization to utilize its resources to the maximum extent. At its last session, in February 1960, the Commission expressed its belief that it should play an important role in the consideration of any new proposals that may be made for multi-lateral economic and financial assistance to Africa. This principle has also been stressed in Economic and Social Council resolution 793 (XXX). It is the Secretary-General's intention to take full advantage of the expertise and familiarity with African conditions of the secretariat of the Economic Commission for Africa in the preparation and implementation of the proposed assistance programmes.

## ANNEX

### SUMMARY OF TECHNICAL ASSISTANCE REQUESTS RECEIVED FROM CAMEROUN, DAHOMEY, IVORY COAST, NIGER, NIGERIA, SOMALIA, TOGO AND UPPER VOLTA

The requests received from the eight newly independent countries in Africa to which reference has been made in the report are summarized, by broad field of activity, number of experts and fellowships, and total corresponding cost, in the table below. As stressed in the report, these requests are, in most cases, of a preliminary character and changes may be introduced after further consultations between the Governments concerned and the United Nations. It should be noted also that the broad classifications used in the table does not enable a precise distribution of the requests to be given, since a number of them pertain to closely related areas of work, e.g. statistics and economic survey or public finance. A brief description of the requests included under each heading follows the summary table. In a number of cases, no particulars have as yet been received.

STATEMENT OF REQUESTS BY FIELD OF ACTIVITY

Field of activity	Number of experts	Number of fellowships	Total cost including equipment (in thousands of US\$)
Natural resources development and power.	22	20	770
Statistics	28	16	660
Economic planning and survey	32	21	600
Public administration	18	27	550
Housing, physical planning and building	9	2	420
Public finance	14	26	360
Community development	15	21	360
Transport	11	27	330
Social services	11	16	250
Industrial development and commerce	17	—	200
<b>TOTAL</b>	<b>177</b>	<b>176</b>	<b>4,500</b>

*Natural resources development and power*

Requests for technical assistance in this field emphasize the importance of preliminary investigations for the identification and formulation of investment projects as well as the need for reorganizing or establishing technical services in the departments concerned. The requests cover the following main areas of work:

(a) Cartographic surveying and mapping: in one country, the Government has requested the services of five experts to assist in the establishment and work of a national cartographic office, \$100,000 worth of equipment and supplies, and fellowships for the heads of three government departments directly concerned with the application of cartographic data. A specialist in the classification of archives and in staff training and one expert to assist in the completion of an atlas have been requested by another country. Two countries have each requested one cartographer to advise on the establishment of a training centre and the preparation of geological maps.

(b) Geology and mining: a total of four experts has been requested. In one case, the United Nations has been asked to help to organize a mining bureau and draw up a five-year working plan in the field of mining and geology. In the other case, two experts have been requested to carry out a mining survey. Eight fellowships for training engineers and geologists are included in the preliminary requests.

(c) Power and water supply: a total of thirteen experts has been requested by the eight countries to assist the Governments concerned, as follows—three hydrologists and hydro-geologists for the investigation of underground water resources; four hydrologists to undertake preliminary studies on river basin potentialities and to advise on the possibilities of constructing dams for the purpose of electric power and irrigation; three hydrologists to assist in establishing a network of hydrological stations along certain rivers to permit at a later stage a study of the hydro-power potential; three electrical engineers to study the distribution of electricity and to assist the Governments in their effort to lower the prevailing cost of electricity. Eleven fellowships have been requested for the training of hydrologists, geological engineers and prospectors.

*Statistics*

The absence of adequate statistics often constitutes a serious obstacle to economic development, since it may mean that important investment projects must be postponed pending the completion of an *ad hoc* collection of data. The requests received from the eight countries show the priority attached by the African Governments to the provision of statistical data as a prerequisite for investment decisions. The needs, both in terms of expertise and training, expressed by the Governments fall into three major functions: the organization of national statistical services and training institutes; the development of statistics in specialized fields; and the preparation and undertaking of statistical surveys.

The following requests have been received: a senior statistician to prepare and promote an integrated programme of statistical activities and to co-ordinate the statistical work of all government departments and field units; two directors for newly established statistical training institutes; a senior statistician to assist in organizing the statistical unit of the ministry of planning; an expert to set up a mecanographical unit; four experts in sample surveys to draw up a programme of multi-purpose sample surveys designed to collect data on various economic and social aspects; two demographers for the preparation of population censuses and the organization of vital statistical services. The remaining requests are for specialized statisticians, more particularly in the fields of public finance, national accounts, prices, foreign trade and demography. Supporting fellowships have been requested in most of the above-mentioned fields.

*Economic planning and survey*

In most of the countries, special departments have been organized with the responsibility of assessing, through economic surveys, the over-all needs of the country, establishing priorities

for specific projects and integrating such projects in economic plans for the purpose of implementation. For each of the above functions, urgent need has been expressed for expert assistance as well as for the training of nationals. For example, the Government of one country has requested one economic programming adviser to assist the Prime Minister and the Inter-Ministerial Committee for Economic Development in the formulation of the first economic development programme and to make recommendations in the field of economic policy. This expert would be assisted by an economic programming officer, whose duties would include the training of national counterparts in planning and programming, and by an economic research officer, to be assigned to the national bank to study balance of payments problems and to help in its general research programme. Another Government has requested a planning economist to assist in drawing up a five-year economic plan and two research economists to help in establishing and organizing an economic division and in training national counterparts. A number of experts assisted by junior economists have also been requested to conduct socio-economic surveys which would enable the Governments to decide on carefully considered plans for economic and social development.

*Public administration*

The requests received to date reflect the need for general surveys of the administrative structure of the countries, assessment of staffing problems and training of civil service officials, at both the national and local levels. To implement these tasks, consultative services—particularly in the field of organization and methods—and expert assistance to set up and operate public administration training institutes, are requested. Four countries have expressed the desire to be provided with the services of public administration experts to explore the possibilities of establishing public administration institutes, or to strengthen the teaching staff of the existing training establishment. One Government, with a view to the integration of its constitutional, legal and administrative systems, has requested the services of a team of four experts to advise on all aspects of public administration, legal matters and organization and methods. Expert assistance has been requested by two countries to study the local and municipal administrative system with particular reference to the financial and budgetary responsibility of the Government and the co-ordination of the various services provided under local administration. In all cases, supporting fellowships have been requested for training in the various fields of public administration.

*Housing, physical planning and building*

In view of their rapid urbanization and the desire to improve rural as well as urban housing, four of the countries have indicated interest in receiving assistance in housing and physical planning by means of experts, fellowships and equipment. The equipment required is essentially for demonstration purpose and is to be used as an integral part of the projects involved. For instance, one Government has requested an expert in low-cost housing and city planning to set up a demonstration project in low-cost housing in a large city, to establish a long-range housing and planning programme including a suitable administrative organization, to improve the present methods of producing local construction materials and to recommend procedures for establishing local building industries. An expert in rural housing and planning has been requested by the same Government to assist in establishing a planning programme for rural areas and to set up and carry out a rural demonstration project in low-cost housing. Equipment worth \$200,000 has been requested for the demonstration projects and two fellowships in low-cost housing are required. Another Government has requested a town planner to evaluate the facilities of the present town planning school and to advise on further action and assistance; an architect and a structural engineer were further requested to advise on housing design and construction and on the suitability of local construction material. A request has also been received for a study tour to be arranged for three months' observation abroad for members of the executive development board of the country's capital

city. In another case, one expert and \$50,000 worth of equipment have been requested for the construction of model houses suitable for demonstration purposes.

#### *Public finance*

The requests received to date show that newly independent countries are often faced with the necessity of revising their revenue systems and budgetary structures. Expert assistance and training in fiscal policies (including credit and insurance), tax administration, budgetary matters and accounting are often requested in close co-operation with assistance for economic development and planning and within the broader framework of public administration. Thus the services of four experts and three supporting fellowships have been requested by one Government in the fields of developmental aspects of government financial and taxation policies; financial administration and organization of accounts; financial statistics; particularly organization of revenue and expenditure accounts and centralization of data reporting. Another Government has requested the services of a financial adviser who, together with the economic programming adviser, would assist the Administration in the financial problems arising from the integration of the country and in the co-ordination of foreign assistance programmes and domestic financing; he would be assisted by an international finance officer who would prepare studies of financial requirements and assist in the preparation of specific projects scheduled for foreign financing.

Other requests are for expert assistance and training facilities in: in-service training of auditors and accountants; advice on commercial policies and credit policies, especially agricultural credit; advice on the possibilities of establishing a commercial bank and a development bank; and a survey of the over-all fiscal situation of a country.

#### *Community development*

Most of the countries have expressed an interest in community development programmes, which are regarded as important within the broader framework of rural and urban development schemes. The setting up of a Community Development Branch in the secretariat of the Economic Commission for Africa, the interest expressed by African countries in surveys, study tours and regional or sub-regional meetings in community development, as well as the number of requests for experts and fellowships may be noted in this connexion. It appears that services in this field must be co-ordinated with those to be provided for technical training in agriculture and vocational training in handicraft. An important phase of community development is related to welfare and social services. Although most of the eight countries have requested technical assistance in this field, very few details have been received on the projects involved. One Government has asked for an urban community development expert and a rural community development consultant to co-operate, respectively, with experts in urban and rural housing and with experts of the specialized agencies in assisting the Government to plan and implement its community programme. Their work will include the establishment of pilot projects and the training of local personnel. In another country, the Minister of Technical Education has requested four experts to assist in action to be undertaken for village aid, handicrafts, and the promotion of activities and welfare of African women.

#### *Transport*

The Governments have expressed the need for expert assistance and the training of specialists mainly in the field of urban transport systems and the maintenance and expansion of road networks. Most of the projects involved are complementary to those undertaken on a larger scale with technical and financial assistance from bilateral or other international sources. The following requests have been received to date: two experts to

work out a plan for the development of roads in areas where the Government wants to undertake a priority road programme; two specialists to assist the Government in drawing up a work plan for the improvement and construction of essential roads and to identify projects which could be undertaken with local or foreign financing; two experts in soil mechanics to assist in the work of a soil mechanics laboratory (incidental to road building) which has been set up under the Ministry of Public Works; three experts in urban transport systems to assist in determining transport requirements of the main cities; one expert to study the technical, and possibly economic conditions of navigation on the main river; one expert in rail and road transportation. The summary table above shows the great number of fellowships for training required in these fields.

#### *Social services and development*

The needs expressed by the Governments in the field of social services and related activities show that social and economic problems associated with rapid urbanization are of great concern to many African countries. It appears that, in a number of cases, such problems have been approached until now on a sectoral basis, mainly through programmes dealing with housing and physical planning, family and child welfare, and the prevention of crime and juvenile delinquency. Several Governments have stressed the fact that urbanization problems are, in certain cases, reaching such proportions that an over-all approach is required to deal with the economic and administrative as well as with the social aspects of urban growth. Several Governments have expressed interest in assistance in planning for social development, including demographic analysis of census results and methods of relating social to economic programmes. Detailed requests have been received so far only for specialized fields, such as export assistance and fellowships for training in the organization of social services, rehabilitation of physically handicapped and disabled persons, prison organization and the treatment of juvenile delinquency.

#### *Industrial development and commerce*

The problem of industrial development being an integral part of economic development and planning, a number of requests which cover this field are included in the section dealing with economic planning and survey. In addition to these, expert advice is sought for the review of specific industries, covering technical aspects as well as market research and finance. Initial surveys are often followed by training programmes in anticipation of the operation of the industries. The following requests have been received from the Governments of the eight countries concerned: for each, one expert on the financial aspects and one expert on the marketing and economic aspects of the following industries; spinning and weaving, flour milling, the making of matches. The six experts are needed for the follow-up of the general industrial programme outlined in the development plan; also, an over-all industrial expert to study the industrial potential of the country and to assist in drawing up an industrial development plan; one expert to study the possibilities of producing cement locally and to advise on consumption and marketing; experts in textiles, ground-nut oil factories and cottage industries; one expert to analyse the census of small-scale industries; and one specialist to advise on the establishment and location of new industries. With regard to trade promotion and marketing, the services of experts are requested to assist Governments in assessing market possibilities for national products and evaluating the potential demand arising from an expansion in existing production of the introduction of new products. Marketing experts have been requested to help Governments in establishing contacts with foreign chambers of commerce and in organizing sales promotion and trade missions, and to train government personnel. One country has requested the assistance of a specialist in the field of tourism.

## DOCUMENT A/4589

**United Nations assistance in public administration: provision of  
operational, executive and administrative personnel**

**Report of the Secretary-General**

[Original text: English]  
[22 November 1960]

1. At the fourteenth session of the General Assembly, the experimental programme for the provision of operational, executive and administrative personnel (OPEX), initiated by resolution 1256 (XIII) of 14 November 1958, was reviewed. Continuance of the experiment was authorized by resolution 1385 (XIV) of 20 November 1959 and the Secretary-General was called upon to present to the Economic and Social Council at its thirtieth session and to the General Assembly at its fifteenth session "a report analysing in detail the progress and results of the experiment, including whatever comments the recipient Governments may wish to make, and in particular the degree of success achieved in the training of nationals to assume as early as possible the responsibilities temporarily assigned to the internationally recruited staff, together with recommendations based on this report".

2. The Secretary-General accordingly submitted such a report to the Economic and Social Council at its thirtieth session. This report (E/3370) is available to the General Assembly in accordance with General Assembly resolution 1385 (XIV). The programme has continued on the lines explained in that report and no further comments appear to be called for. More up-to-date statistical information is, however, furnished in the annexes to the present note and these may be substituted for annexes III and IV of the report to the Council.

3. The Economic and Social Council discussed the Secretary-General's report at its thirtieth session and adopted resolution 790 (XXX) in which it recommended to the General Assembly:

"(a) That the provision of operational, executive and administrative personnel be placed on a continuing basis;

"(b) That the Secretary-General continue to consult with the specialized agencies and the International Atomic Energy Agency whenever requests fall within their competence;

"(c) That the financial resources for this activity be established at a level appropriate to the needs for this assistance."

4. At its thirtieth session, the Economic and Social Council also had before it a report of the Secretary-General on "Opportunities for international co-operation on behalf of newly independent countries" (E/3387 and Add.1). Amongst other matters, this report made reference to the special significance for the newly independent countries of the OPEX programme. In resolution 768 (XXX), adopted after discussion of this report, the Council stressed "the need for providing speedily and on an adequate scale operational, executive and administrative personnel where requested," and recommended that the General Assembly make "appropriate provision" in the budget of the United Nations.

5. The present experimental level of \$300,000 for OPEX assistance provides for less than thirty posts, a number which is now insignificant in relation to the widespread demand. To meet a more substantial proportion of the requests already received, as well as the further requests which are expected in the near future, especially from the newly independent countries, a financial allocation of a much larger magnitude will be required. In his report to the General Assembly on "Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States" (A/4585), the Secretary-General indicates the total additional resources which he considers necessary for the four regular United Nations programmes under General Assembly resolutions 200 (III) (economic development), 418 (V) (advisory social welfare services), 723 (VIII) and 1256 (XIII) (public administration). He also stresses the desirability of leaving open the possibility of using the funds in a flexible manner as between these programmes for the next two years.

**ANNEXES**

**Annex I**

**NUMBER AND NATURE OF REQUESTS REGARDING THE OPEX PROGRAMME RECEIVED UP TO 31 OCTOBER 1960**

1. Number of requesting countries (by regions):

Africa	12
Asia and the Far East	10
Europe and the Middle East	7
Latin America and the Caribbean	15
TOTAL	44

2. Total number of requests on record: 212.

3. Number of OPEX requests classified by fields of activity (with typical examples of posts to be manned), showing the regional distribution of countries from which requests have been received:

Field of activity	Number of requests received				Total	Typical posts
	Africa	Asia and Far East	Europe and Middle East	Latin America and Caribbean		
Agriculture and fisheries.....	29	14	4	5	52	Director, Animal Husbandry Division Director, Fisheries Operations and Techniques Director, Veterinary Department Scientific Officer, Animal Production Department
Banking, revenue and finance.....	6	6	3	3	18	Director of the Service of Direct Taxation Manager, National Bank Secretary, Ministry of Finance Customs Administrator
Civil aviation . . . . .	1	2	2	—	5	Airlines Manager Air Traffic Controller Aeronautical Engineers, Air Safety Department
Economic planning and development . . . . .	8	4	4	5	21	Director of Economic Planning Economist, Development Council Director of Commerce, Ministry of National Economy
Education . . . . .	—	—	3	—	3	Secondary School Administration
Industrial development and operation . . . . .	8	20	5	6	39	Electrical Engineer, Turbine Installation Manager, Jute Mills Manager, Penicillin Plant Manager, Tin and Tungsten Mines Chief of Programme, Sugar Ind. Dev.
Meteorology . . . . .	3	—	—	—	3	Electronics Officer, Meteorological Service
Posts and telecommunications (including radio broadcasting) . . . . .	5	4	5	1	15	Director of Posts and Telecommunications General Manager, National Broadcasting Corporation Technical Supervisor, Radio Broadcasting
Public administration . . . . .	9	5	4	2	20	Director of Administration, Ministry of Finance Inspector-General of Administrative Affairs Director, Organization and Methods
Public health . . . . .	5	—	3	1	9	Public Health Administrator Sanitary Engineer, Ministry of Health Director, Malaria Eradication Service
Social security administration..	1	—	2	—	3	Social Security Programme Administrator
Social welfare and community development . . . . .	—	2	—	4	6	Co-ordinator, Community Development Director of Social Welfare Director, National Office of Planning and Urbanism
Statistics . . . . .	4	6	1	—	11	Assistant Director of Statistics Census Commissioner
Transport and communications . . . . .	2	2	2	1	7	Director, Repair and Maintenance of Equipment Technical Manager, Marine Training Centre and Boatyard
TOTAL	81	65	38	28	212	

## ANNEX II

1. Countries for which OPEX experts have been or are being recruited as at 1 November 1960:

Afghanistan, Bolivia, Burma, Chile, Ethiopia, Federation of Malaya, Guinea, Iraq, Jamaica, Kuwait, Laos, Libya, Nepal, Panama, Paraguay, Sudan, Togo, Tunisia and the Republic of Viet-Nam.

2. Countries for which OPEX experts will shortly be recruited:

British Guiana, Haiti, Libya, Nepal, Paraguay and Tunisia.

3. Progress of recruitment of OPEX experts as at 1 November 1960:

## (a) ASSIGNMENTS COMPLETED

<i>Post</i>	<i>Country of assignment</i>	<i>Nationality of expert</i>	<i>Date of commencement and remarks</i>
(i) General Manager, National Broadcasting Corporation . . . . .	Jamaica	Canada	1 January 1959; assignment concluded on 1 October 1960
(ii) Director of Administration, Ministry of Finance . . . . .	Panama	France	27 July 1959; assignment concluded on 27 July 1960
(iii) General Manager, Tin and Tungsten Mines . . . . .	Burma	United States	26 August 1959; assignment concluded on 26 August 1960; officer continuing as adviser
(iv) Manager, Industrial Development Corporation . . . . .	Nepal	United States	25 September 1959; assignment concluded in August 1960

## (b) INDIVIDUAL ASSIGNMENTS CONCLUDED, POSTS CONTINUED

<i>Post</i>	<i>Country of assignment</i>	<i>Nationality of expert</i>	<i>Date of commencement and remarks</i>
(i) Engineer, Department of Water and Forests . . . . .	Guinea	United States	20 April 1960; in agreement with Government, officer being re-assigned elsewhere; replacement asked for
(ii) Economist, Ministry of Finance (now restyled Financial Administrator) . . . . .	Libya	United Kingdom	29 September 1959; original assignment completed and officer left on 28 September 1960; post to be continued with revised job description and title; name of candidate about to be submitted
(iii) Manager, National Bank . . . . .	Nepal	United Kingdom	24 October 1959; officer's contract terminated on medical grounds; a replacement is being found for a further year; names of several candidates about to be submitted

## (c) OFFICERS ON DUTY

<i>Post</i>	<i>Country of assignment</i>	<i>Nationality of expert</i>	<i>Date of commencement and remarks</i>
(i) Air Traffic Controller . . . . .	Tunisia	Belgium	29 April 1959; assignment renewed for second year to 28 April 1961
(ii) Director of Studies, National Centre of Administrative Studies . . . . .	Laos	France	6 July 1959; assignment renewed for second year to 5 July 1961
(iii) Chief Statistician . . . . .	Federation of Malaya	United Kingdom	6 October 1959; assignment renewed for second year to 5 October 1961
(iv) Manager, Jute Mills . . . . .	Nepal	Netherlands	9 October 1959; assignment renewed for a second year to 8 October 1961
(v) Director, Posts and Telecommunications	Libya	Netherlands	28 December 1959; renewal for another year already requested by Government
(vi) Legal Officer, Ministry of Foreign Affairs . . . . .	Nepal	Sweden	31 January 1960; renewal for another year already requested by Government
(vii) Deputy Assistant Director, Geodetic Survey . . . . .	Sudan	Poland	20 April 1960
(viii) Chief Engineer, Department of Land Use and Rural Water Supply . . . . .	Sudan	India	20 April 1960; post redesignated Chief Engineer instead of Hydrological engineer
(ix) Chief, Olive Oil Bureau . . . . .	Libya	France	1 May 1960

(c) OFFICERS ON DUTY (*continued*)

<i>Post</i>	<i>Country of assignment</i>	<i>Nationality of expert</i>	<i>Date of commencement and remarks</i>
(x) Electronics Officer Meteorological Office	Sudan	India	1 June 1960
(xi) Assistant Electronics Officer	Sudan	India	1 June 1960
(xii) Director, Fisheries Operations Techniques	Republic of Viet-Nam	France	4 July 1960
(xiii) Director, Geological Survey	Nepal	Switzerland	1 October 1960
(xiv) Finance Officer, Ministry of Education	Ethiopia	Norway	31 October 1960
(xv) Technical Director of Water Plant Operations	Paraguay	United States	1 November 1960

## (d) APPOINTMENTS FINALIZED

<i>Post</i>	<i>Country of assignment</i>	<i>Nationality of expert</i>	<i>Probable date of commencement</i>
(i) Assistant Director-General, Milk and Milk Products	Iraq	Norway	17 November 1960
(ii) Deputy President of Postal Services	Afghanistan	France	15 December 1960
(iii) Chief, Programme of Sugar Industry Development	Bolivia	Netherlands	1 December 1960
(iv) Director of Industrial Management	Afghanistan	Norway	1 January 1961

## (e) CANDIDATES SUBMITTED: GOVERNMENT ACCEPTANCE AWAITED

<i>Post</i>	<i>Country of assignment</i>	<i>Nationality of expert</i>	<i>Date of commencement and remarks</i>
(i) Director, Repairs and Maintenance of Road Building Equipment	Paraguay	—	—
(ii) Chief, Industrial Research and Analysis Office	Bolivia	—	—
(iii) Chief Conservator, Forestry Department	Nepal	—	—

## (f) UNDER RECRUITMENT

<i>Post</i>	<i>Country of assignment</i>	<i>Nationality of expert</i>	<i>Date of commencement and remarks</i>
(i) Deputy Director of Technical Services (Statistics)	—	—	—
(ii) Director of Industrial Planning	—	—	—
(iii) Chief, Economic Studies and Project Evaluation Office	—	—	—
(iv) Telecommunications Engineer	—	—	—
(v) Director of the Treasury	—	—	—
(vi) Manager, National Airlines	—	—	—
(vii) Chief of Hydrological Project	—	—	—
(viii) Chief, Tax Research Unit	—	—	—
(ix) Director of Industry, Ministry of National Economy	—	—	—

## (g) RECRUITMENT SHORTLY TO COMMENCE

<i>Post</i>	<i>Country of assignment</i>	<i>Nationality of expert</i>	<i>Date of commencement and remarks</i>
(i) Irrigation and Water Use Engineer	—	—	—
(ii) Superintendent, Cement Plant	—	—	—
(iii) Economist, Development Council	—	—	—
(iv) Administrator, Marine Fishery Service	—	—	—
(v) Administrator, Institute of Agricultural and Industrial Credit	—	—	—
(vi) Afforestation Engineer	—	—	—
(vii) Manager, Electric Power Plant	—	—	—

## (h) OPEX APPOINTMENT AT NO COST TO THE UNITED NATIONS

<i>Post</i>	<i>Country of assignment</i>	<i>Nationality of expert</i>	<i>Date of commencement and remarks</i>
Water Drainage and Sewerage Engineer	Kuwait	Sweden	1 November 1960

## DOCUMENT A/4649

## Report of the Second Committee

[Original text: English]  
[14 December 1960]

1. The General Assembly, at its 881st plenary meeting on 1 October 1960, allocated the following items of its agenda to the Second Committee:

*Item 28:* Progress and operations of the Special Fund.

*Item 30:* Programmes of technical assistance:

- (a) Report of the Economic and Social Council;
- (b) United Nations assistance in public administration: report by the Secretary-General;
- (c) Confirmation of the allocation of funds under the Expanded Programme of Technical Assistance.

*Item 31:* Opportunities for international co-operation on behalf of former Trust Territories and other newly independent States: report by the Economic and Social Council and by the Secretary-General.

*Item 32:* Question of assistance to Libya: report by the Secretary-General.

2. As the draft resolutions on items 28, 30, 31 and 32 had been submitted before the opening of the debate on this group of items, the Committee decided to concentrate on them on the understanding that any representatives might make general statements either at the beginning of the debate or in their statements on particular resolutions.

3. The Committee considered these items during thirteen meetings held from 28 November to 10 December 1960 (694th, 695th, 698th to 701st, and 707th to 713th meetings). At the 694th meeting statements were made by the Managing Director of the Special Fund, the Executive Chairman of the Technical Assistance Board, the Commissioner for Technical Assistance and the Executive Secretary of the Economic Commission for Africa. The text of these statements was circulated in documents A/C.2/L.519, A/C.2/L.520, A/C.2/L.521 and A/C.2/L.522 respectively.

4. The Committee had before it the following documents:

*Under item 28:*

Note by the Secretary-General on the progress and operations of the Special Fund (A/4491);

Report of the Governing Council of the Special Fund on its Third and Fourth Sessions (E/3398);

Annual report of the Managing Director of the Special Fund for 1959 (SF/L.28 and Corr.1) which had been communicated to the Economic and Social

Council by a note by the Secretary-General (E/3401 and Corr.1);

Report of the Economic and Social Council (A/4415), paras. 303-316.

*Under item 30:*

Report of the Economic and Social Council (A/4415), chapter II, section III B (except paras. 303-316);

Note by the Secretary-General on United Nations assistance in public administration: provision of operational, executive and administrative personnel (A/4589);

Report by the Secretary-General on United Nations Assistance in public administration: provision of operational, executive and administrative personnel (E/3370 and Corr.1);

Memorandum by the Secretary-General concerning the confirmation of the allocation of funds under the Expanded Programme of Technical Assistance (A/C.2/208 and Corr.1).

*Under item 31:*

Report of the Economic and Social Council (A/4415), chapter II, section IIA, paras. 189-198;

Report by the Secretary-General on opportunities for international co-operation on behalf of former Trust Territories and other newly independent States (A/4585).

*Under item 32:*

Report by the Secretary-General on assistance to Libya (A/4575);

Memorandum by the Government of Libya concerning assistance to Libya (A/4576).

5. Sections I to VII, below, deal with the various proposals which were submitted to the Committee under these agenda items. These proposals may be listed as follows:

#### Section I

Draft resolution by Chad, Cuba, Czechoslovakia, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Liberia, Libya, Nigeria, Somalia, Sudan, Thailand, Togo, United Arab Republic and Yugoslavia (A/C.2/L.509, A/C.2/L.509/Rev.1, and Add.1 and 2 and A/C.2/L.509//Rev.2) entitled "Assistance to former Trust Territories and other newly independent States";

Amendments to the draft resolution in its revised form submitted by Cyprus (A/C.2/L.524), United States of America (A/C.2/L.525), Argentina, Brazil and Chile (A/C.2/L.526), Netherlands, New Zealand and the United Kingdom of Great Britain and Northern

Ireland (A/C.2/L.527), France (A/C.2/L.528), Japan (A/C.2/L.533), Argentina (A/C.2/L.534);

Amendment by France (A/C.2/L.530) to the amendment submitted by the Netherlands, New Zealand and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.527).

### Section II

Draft resolution submitted by Ethiopia, Gabon, Ghana, Greece, Iraq, Jordan, Lebanon, Liberia, Morocco, Nigeria, Pakistan, Saudi Arabia, Somalia, Sudan, Tunisia, Turkey, United Arab Republic and Yemen (A/C.2/L.531 and Add.1 and 2) entitled "Question of Assistance to Libya".

### Section III

Draft resolution submitted by Afghanistan, Greece, India, Indonesia, Iraq, Netherlands, Nigeria, United Arab Republic and Yugoslavia (A/C.2/L.529 and Corr.1 entitled "Contributions to the Special Fund and to the Expanded Programme of Technical Assistance";

Amendments to the draft resolution, submitted by the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.539), Brazil (A/C.2/L.544), Argentina (A/C.2/L.545) and the Byelorussian Soviet Socialist Republic (A/C.2/L.546).

### Section IV

Draft resolution submitted by Afghanistan, Burma, Canada, Chile, Denmark, Federation of Malaya, Ghana, Greece, Haiti, India, Iran, Laos, Lebanon, Nepal, Netherlands, New Zealand, Nigeria, Peru, Sudan, Sweden, Tunisia, United Kingdom of Great Britain and Northern Ireland and Venezuela (A/C.2/L.460 and Add.1 and 2, and A/C.2/L.460/Rev.1) entitled "United Nations Assistance in Public Administration: Provision of Operational, Executive and Administrative Personnel".

### Section V

Draft resolution submitted by Brazil, Ghana, India and Yugoslavia (A/C.2/L.512 and Rev.1) entitled "Possibilities of increasing voluntary contributions to the operational fund of the International Atomic Energy Agency".

### Section VI

Draft resolution submitted by Afghanistan, Burma, Canada, Chile, Federation of Malaya, Ghana, India, Lebanon, New Zealand, Peru and Sudan (A/C.2/L.532) entitled "United Nations Programme of Technical Assistance: arrangements to facilitate prompt supply of technical assistance personnel";

Amendments to the draft resolution, submitted by Poland (A/C.2/L.538).

### Section VII

Draft resolution submitted by the Technical Assistance Committee (A/C.2/L.208 and Corr.1) entitled "Confirmation of the allocation of funds for the Expanded Programme of Technical Assistance in 1961".

## I

6. The draft resolution submitted by Czechoslovakia, Ghana, Guinea, India, Libya, Nigeria, Sudan, United Arab Republic and Yugoslavia (A/C.2/L.509), which

in its revised form was co-sponsored by Chad, Cuba, Ethiopia, Indonesia, Iraq, Liberia, Somalia, Thailand and Togo (A/C.2/L.509/Rev.1/Add.1 and 2) read as follows:

### "ASSISTANCE TO FORMER TRUST TERRITORIES AND OTHER NEWLY INDEPENDENT STATES"

"The General Assembly,

"Recalling resolutions 1414 (XIV) and 1415 (XIV) of 5 December 1959,

"Considering that the great increase in the membership of the United Nations of countries belonging to the under-developed sector of the world economy underlines the urgency of substantially expanding the flow of technical and capital assistance to less developed countries,

"Bearing in mind the estimate made in document E/3387 of 3 June 1960 that the present level of technical assistance to the newly independent States is wholly inadequate on the basis of population and of needs, and that their share of such aid 'will need to be more than doubled and perhaps tripled if it is to be brought roughly into line with that of other Members of the United Nations at comparable stages of development' (E/3387, para. 5),

"Recognizing the urgent necessity to take measures to strengthen and consolidate the economic and political independence of the new States,

"Considering further that industrialization is crucially important for the economic advancement of these new countries.

"Noting with approval resolution 768 (XXX) of the Economic and Social Council,

"1. *Decides*, within the context of an all-round expansion of aid, to raise the level of technical assistance to newly independent countries and so ensure equitable distribution of United Nations aid;

"2. *Urges* the economically advanced countries to render increased and effective financial and technical assistance to these countries through multilateral and bilateral channels with no conditions attached prejudicial to their political and economic sovereignty;

"3. *Invites* the Economic and Social Council in co-operation with appropriate organs to initiate through the Economic Commission for Africa:

"(a) Surveys of mineral, hydroelectric and fuel resources of these countries;

"(b) Specific studies (where economic programmes exist or are being worked out) of the needs of installation equipment and machinery for economic development;

"4. *Requests* the Economic and Social Council to review at its thirty-second session the progress of the implementation of this resolution and to report to the sixteenth session of the General Assembly."

7. Before the Committee began its consideration of this draft resolution, the sponsors submitted a revised version (A/C.2/L.509/Rev.1), which was introduced by the representative of Nigeria. The preamble contained two new paragraphs, the fifth and the seventh, as follows:

"Having considered the findings and estimates contained in document A/4585 of 22 November 1960, which includes the most up-to-date assessment of the present situation in the newly independent States in

Africa and is based partly on a recent mission to a number of these countries,"

"...

"Noting resolutions 10 (II) and 11 (II) of the Economic Commission for Africa, contained in the Commission's Annual Report to the Economic and Social Council (document E/3320),"

The operative part had been revised to read:

"1. *Decides*, within the context of all-round expansion of aid, to raise the level of technical assistance to newly independent countries commensurate with their pressing needs and so ensure equitable distribution of United Nations aid,

"2. *Urges* the economically advanced countries to render increased and effective financial and technical assistance to these countries through multilateral and bilateral channels with no conditions attached prejudicial to their political and economic sovereignty,

"3. *Invites* the Economic and Social Council, in co-operation with other appropriate international organs to initiate through the Economic Commission for Africa, or through the other regional economic commissions in their respective regions, and at the request of governments concerned:

"(a) Surveys of mineral, hydroelectric and fuel resources of their countries;

"(b) Specific inquiries and reports, where economic development programmes exist or are being prepared, of the needs for equipment and machinery for specific industries and for other sectors of the economy;

"(c) The establishment, where economic development programmes do not yet exist, of advisory groups of experts to assist in the preparation of economic development programmes and the determination of investment requirements and priorities, and to render other advisory services as may be required;

"(d) Accelerated programmes for training in practical methods and techniques of economic development programming and related subjects, including fiscal policy and management, public finance and public administration through:

"(i) The use of appropriate existing institutions in individual countries;

"(ii) The creation of regional and sub-regional training institutes or courses serving several countries;

"(iii) The organization of seminars on specific subjects of immediate and practical value to the countries concerned; and

"(iv) The granting of increased fellowships and scholarships and urgent provision of facilities for in-service training;

"4. *Requests* the Economic and Social Council at its thirty-second session to review, in the light, *inter alia*, of the reports of the United Nations operational programmes and of the report of the Economic Commission for Africa, the progress made in the implementation of this resolution, and to report to the sixteenth session of the General Assembly."

8. The Committee considered this revised draft resolution at its 698th to 701st meetings.

9. Cyprus proposed the following amendments (A/C.2/L.524):

(a) The words "the new States" would be replaced by the words "these new States, which have become

Members of the United Nations at this fifteenth session of the General Assembly,";

(b) The words "*Having considered*" in the fifth preambular paragraph would be replaced by the words "*Bearing in mind*"; the words "the most" by the word "an"; the words "the newly independent" by the words "those newly independent"; the words "States in Africa" by the words "States situated in the continent of Africa"; and the words "these countries" by the words "those countries";

(c) The fifth and sixth preambular paragraphs would be reversed in order, and the latter revised to read as follows:

"*Believing* that diversification and industrialization are crucially important for the economic advancement of these new countries;"

(d) The words "or through the other regional economic commissions" in the introductory part of operative paragraph 3 would be replaced by the words "or the Economic Commission for Europe whichever may be directly concerned;"

(e) The words "mineral, hydroelectric and fuel" in operative paragraph 3 (a) would be replaced by the word "natural";

(f) The words "Economic Commission for Africa" in operative paragraph 4 would be replaced by the words "regional economic commissions concerned,".

10. The United States of America proposed an amendment (A/C.2/L.525), calling for the insertion of the following paragraph between operative paragraphs 1 and 2:

"*Recognizes* that this decision implies, if the interests of other less developed countries are not to be harmed,

"(a) A further increase in contributions to the Expanded Programme of Technical Assistance and to the Special Fund;

"(b) An appropriate increase in the United Nations regular budget."

11. Argentina, Brazil and Chile proposed an amendment (A/C.2/L.526) calling for insertion of the following words at the end of operative paragraph 1:

"in such a way that no under-developed country suffers any curtailment in the assistance it was receiving, nor be deprived of the normal increase of that assistance, as a consequence of increased contributions to the programmes of technical assistance".

12. France proposed an amendment (A/C.2/L.528) calling for the addition of a new paragraph, reading as follows, at the end of the operative part of the draft resolution:

"5. *Requests* the Secretary-General to lend the Economic and Social Council his assistance in the execution of the tasks mentioned in paragraphs 3 and 4."

13. At the 699th meeting, the Netherlands, New Zealand and the United Kingdom of Great Britain and Northern Ireland submitted the following amendments (A/C.2/L.527):

(a) The words "newly independent countries" in operative paragraph 1 would be replaced by the words "newly independent and emerging countries";

(b) The following new paragraph would be inserted between operative paragraphs 1 and 2:

"2. Approves in principle the proposals of the Secretary-General, contained in A/4585 for increased assistance to these States from the regular budget of the United Nations";

(c) The introductory part of operative paragraph 4 (formerly paragraph 3) would be revised to read:

"4. Invites the Economic and Social Council to encourage and facilitate the provision through the appropriate international organs, including the United Nations Programmes of Technical Co-operation, the Expanded Programme of Technical Assistance and the Special Fund in co-operation with the Economic Commission for Africa and other regional economic commissions, of assistance requested by Governments for:".

14. France submitted an amendment (A/C.2/L.530) to the second of the amendments of the Netherlands, New Zealand and the United Kingdom (A/C.2/L.527) whereby the words "*Approves in principle*" would be replaced by the words "*Notes with satisfaction*".

15. Japan proposed an amendment (A/C.2/L.533) consisting of the insertion of the following as the final paragraph of the preamble:

"Welcoming the results of the recent United Nations Pledging Conference, which indicate a substantial increase in the resource of the Expanded Programme of Technical Assistance and the Special Fund for the year 1961, and the decision of the Technical Assistance Committee to increase substantially the assistance to the newly independent and emerging States,".

16. Argentina proposed amendments (A/C.2/L.534) suggesting the deletion of the third, fourth and fifth preambular paragraphs, as well as the words "with approval" in the eighth preambular paragraph.

17. At the 700th meeting, the representative of Nigeria, on behalf of the sponsors, introduced a second revision (A/C.2/L.509/Rev.2) of the draft resolution, which incorporated the following changes:

(a) In the fourth preambular paragraph, the words "and political" were deleted and the words "and emerging" were inserted after the words "of the new";

(b) In the fifth preambular paragraph, the words "the most" were replaced by the word "an";

(c) In the sixth preambular paragraph, the words "industrialization is" were replaced by the words "diversification and industrialization are";

(d) The words "and resolution 768 (XXX) of the Economic and Social Council" were added at the end of the seventh preambular paragraph;

(e) The eighth preambular paragraph was deleted;

(f) In operative paragraph 1, the word "countries" was replaced by the words "and emerging States"; and the following clause was added at the end of the paragraph

"in such a way that no under-developed country suffers any curtailment in the assistance it was receiving, nor be altogether deprived of the eventual increase of that assistance, as a consequence of increased contributions to the programmes of technical assistance;".

(g) In operative paragraph 2, the words "increased and" were replaced by the words "and increase";

(h) The introductory part of operative paragraph 3 was reworded to read as follows:

"Invites the Economic and Social Council to encourage and facilitate the provision through the Economic Commission for Africa and through the other regional economic commissions concerned in close co-operation with appropriate international organs, including the United Nations Programmes of Technical Co-operation, the Expanded Programme of Technical Assistance and the Special Fund of assistance requested by Governments for:"

(i) In operative paragraph 3(a), the words "and fuel" were replaced by the words "fuel and other natural";

(j) In operative paragraph 4, the words "of the report of the Economic Commission for Africa" were replaced by the words "of the reports of the Economic Commission for Africa and of the other regional economic commissions concerned.";

(k) The following new paragraph was added as operative paragraph 5:

"5. Requests the Secretary-General to lend the Economic and Social Council his assistance in the execution of the tasks mentioned in paragraphs 3 and 4."

18. In the light of the changes which had been made by the sponsors, the amendments by Cyprus (A/C.2/L.524), by Argentina, Brazil and Chile (A/C.2/L.526) and by France (A/C.2/L.528), were withdrawn. Furthermore, Netherlands, New Zealand and the United Kingdom withdrew their first amendment (A/C.2/L.527), and the first amendment by Argentina (A/C.2/L.534), proposing the deletion of the fourth preambular paragraph and of the words "with approval" in the eighth preambular paragraph, was withdrawn, but that proposing the deletion of the third and fourth preambular paragraphs was maintained.

19. France also withdrew its amendment (A/C.2/L.530) to the second amendment of the Netherlands, New Zealand and the United Kingdom (A/C.2/L.527), as that proposal had been accepted.

20. The representative of the Secretary-General informed the Committee that the financial implications of the joint draft resolution were contained in paragraph 23 of the Secretary-General's report on the question (A/4585).

21. At the 701st meeting, the sponsors stated that they accepted the following additional changes in the text of the joint draft resolution (A/C.2/L.509/Rev.2):

(a) The following new preambular paragraph (eighth preambular paragraph) was added at the end of the preamble:

"Welcoming the results of the recent United Nations Pledging Conference, which indicate a substantial increase in the resources of the Expanded Programme of Technical Assistance and the Special Fund for the year 1961, and the decision of the Technical Assistance Committee to increase substantially the assistance to the newly independent and emerging States,".

(b) The introductory part of paragraph 3 was modified to read as follows:

"Invites the Economic and Social Council to encourage and facilitate the provision through the appropriate international organs, including the United Nations Programmes of Technical Co-operation, the Expanded Programme of Technical Assistance and the Special Fund in co-operation with and, wherever

appropriate, through the Economic Commission for Africa and other regional economic commissions, of assistance requested by Governments for:"

(c) The words "and the regional economic commissions concerned" were inserted in paragraph 5 after the words "the Economic and Social Council".

22. In the light of these further changes, the amendment by Japan (A/C.2/L.533) and the third amendment by the Netherlands, New Zealand and the United Kingdom (A/C.2/L.527), were withdrawn.

23. The Committee then voted on the revised draft resolution, as modified by the sponsors, and on the amendments to it. On the suggestion of the representative of Nigeria, to which the representative of the United States agreed, the Committee voted on the remaining three-Power amendment (A/C.2/L.527, the second amendment) as modified by the sponsors (see para. 19 above) before voting on the amendment by the United States (A/C.2/L.525). The results of the vote were as follows:

The second amendment of the Netherlands, New Zealand and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.527) as modified, was adopted by a roll-call vote of 18 to 9 with 49 abstentions. The voting was as follows:

*In favour:* Australia, Belgium, Canada, Denmark, Finland, France, Gabon, Greece, Iceland, Ireland, Israel, Japan, Netherlands, New Zealand, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*Abstaining:* Afghanistan, Austria, Brazil, Burma, Cambodia, Ceylon, Chad, Chile, China, Cuba, Cyprus, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Ghana, Guatemala, Guinea, Haiti, India, Indonesia, Iran, Iraq, Italy, Ivory Coast, Laos, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Portugal, Somalia, Spain, Sudan, Thailand, Tunisia, Turkey, Union of South Africa, United Arab Republic, Upper Volta, Venezuela, Yugoslavia.

The representative of the United States thereupon withdrew his amendment (A/C.2/L.525).

The amendment by Argentina, proposing the deletion of the third and fifth preambular paragraphs (see para. 18 above) was rejected by 39 votes to 11, with 20 abstentions.

The fifth preambular paragraph, on which a separate vote had been requested by Cyprus, was adopted by 47 votes to 12, with 12 abstentions.

The words "and the decision of the Technical Assistance Committee to increase substantially the assistance to the newly independent and emerging States" in the newly added eighth preambular paragraph, on which a separate vote had been requested by the Philippines, were adopted by 73 votes to none, with 2 abstentions.

The draft resolution as a whole, as revised and amended, was adopted by a roll-call vote of 67 votes to none, with 9 abstentions. The voting was as follows:

*In favour:* Afghanistan, Australia, Austria, Belgium, Brazil, Burma, Cambodia, Canada, Central African Republic, Ceylon, Chad, Chile, China, Cuba, Cyprus, Denmark, Dominican Republic, Ecuador, Ethiopia, Fed-

eration of Malaya, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Laos, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Portugal, Somalia, Spain, Sudan, Sweden, Thailand, Tunisia, Turkey, Union of South Africa, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Yugoslavia.

*Abstaining:* Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

24. The Second Committee, therefore, recommends to the General Assembly the adoption of draft resolution I, as set forth in paragraph 64 of the present report.

## II

25. The draft resolution submitted by Ethiopia, Ghana, Iraq, Jordan, Lebanon, Liberia, Morocco, Saudi Arabia, Somalia, Sudan, Tunisia, Turkey, United Arab Republic and Yemen (A/C.2/L.531), later joined as co-sponsors by Gabon, Greece, Nigeria and Pakistan (A/C.2/L.531/Add.1 and 2) was introduced by the representative of the United Arab Republic. The text read as follows:

### "QUESTION OF ASSISTANCE TO LIBYA

*"The General Assembly,*

*"Recalling* the part played by the United Nations in the creation of the independent State of the United Kingdom of Libya, in accordance with General Assembly resolution 289 A (IV) of 21 November 1949, recommending that Libya should be constituted as an independent and sovereign State, and recalling that this independence was achieved on 24 December 1951, in accordance with that resolution,

*"Recalling* its resolution 515 (VI) of 1 February 1952, by which it requested the Economic and Social Council to study, in consultation with the Government of the United Kingdom of Libya, ways and means by which the United Nations, with the co-operation of all Governments and the competent specialized agencies, and upon the request of the Government of Libya, could furnish additional assistance to the United Kingdom of Libya with a view to financing its fundamental and urgent programmes of economic and social development, giving consideration to the possibility of opening a special account of voluntary contributions to that end, and to report thereon to the General Assembly at its seventh session.

*"Recalling further* its resolution 529 (VI) of 29 January 1952 on the problem of war damages in Libya,

*"Recalling* its resolution 398 (V) of 17 November 1950 which recognizes the special responsibility assumed by the United Nations for the future of Libya, and its resolutions 924 (X) of 9 December 1955, and 1303 (XIII) of 10 December 1958,

*"Having noted* the communication dated 13 October 1960 from the Prime Minister of Libya (A/4576) addressed to the Secretary-General,

"Having noted the report of the Secretary-General (A/4575) on the question of assistance to Libya,

"Noting with satisfaction the technical assistance given to Libya under the United Nations technical assistance programmes, in accordance with General Assembly resolutions 726 (VIII) of 8 December 1953 and 924 (X) of 9 December 1955,

"Noting also with satisfaction the assistance being provided by the United Nations Special Fund,

"1. *Invites anew* all Governments willing and in a position to do so to provide financial assistance to the United Kingdom of Libya through the appropriate mechanisms available within the United Nations for receiving voluntary contributions, in order to assist Libya in the financing of its fundamental and urgent programmes of reconstruction and of economic and social development;

"2. *Recommends* that, if and when further means become available for assisting in the financing of the development of under-developed areas and for expanding technical assistance to them, the United Nations, its specialized agencies, and the International Atomic Energy Agency should give due consideration to the specific development needs of Libya;

"3. *Requests* the Secretary-General, the Technical Assistance Board, the specialized agencies concerned, and the International Atomic Energy Agency to continue to waive local costs and to give all possible favourable consideration to the requests of Libya for technical assistance, taking into account the special needs of Libya and the principles of the technical assistance programmes of the United Nations and of the specialized agencies enumerated in Economic and Social Council resolution 222 (IX) of 15 August 1949;

"4. *Requests* the Governing Council and the Managing Director of the United Nations Special Fund to continue to give sympathetic consideration to requests for Special Fund assistance to Libya;

"5. *Requests* the Secretary-General to bring the present resolution to the attention of the Governments of Member States and to take the necessary measures to facilitate the implementation of paragraph 1 above;

"6. *Requests* the Secretary-General to make a special report on the question of United Nations assistance to Libya in time for the report to be placed on the provisional agenda of the seventeenth session of the General Assembly."

26. The Committee considered this draft resolution at its 713th meeting.

27. The sponsors replaced the words "on the question of United Nations assistance to Libya" in operative paragraph 6 by the words "on the implementation of this resolution".

28. After a short discussion, the draft resolution (A/C.2/L.531) as modified by the sponsors, was adopted by 56 votes to none, with 1 abstention.

29. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution II, as set forth in paragraph 64 of the present report.

### III

30. The draft resolution submitted by Afghanistan, Greece, India, Indonesia, Iraq, Netherlands, Nigeria, United Arab Republic and Yugoslavia (A/C.2/L.529

and Corr.1) was introduced by the representative of India at the 711th meeting. The text of the joint draft resolution read as follows:

#### "CONTRIBUTIONS TO THE SPECIAL FUND AND TO THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

"The General Assembly,

"Having heard the statements of the Managing Director of the Special Fund, and the Executive Chairman of the Technical Assistance Board,

"Bearing in mind the increasing and urgent needs of the less developed countries especially the newly independent countries,

"1. *Takes note* of the report of the Governing Council of the Special Fund on its third and fourth sessions (E/3398) and of resolutions 785 (XXX), 786 (XXX) and 787 (XXX) of the Economic and Social Council regarding the Expanded Programme of Technical Assistance;

"2. *Urges* States Members of the United Nations or members of any of the specialized agencies or of the International Atomic Energy Agency so to increase their contributions to the Special Fund and to the Expanded Programme of Technical Assistance, that the funds available to these two programmes attain, not later than for the 1962 programmes, the sums of \$100 million and \$50 million respectively."

31. The Committee considered this draft resolution at its 711th and 712th meetings.

32. At the 711th meeting, the Committee had before it an amendment by the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.539), proposing that the words "not later than for the 1962 programmes, the sums of \$100 million and \$50 million respectively" in operative paragraph 2 be replaced by the words "as soon as possible the proclaimed target of \$100 million so as to enable a new and higher target of up to \$150 million realistically to be set in the future". The representative of the United Kingdom revised this amendment to read: "in 1961 the proclaimed target of \$100 million so as to enable a new and higher target of up to \$150 million to be established in 1962".

33. Brazil proposed an amendment (A/C.2/L.544) suggesting that the words "the sums of \$100 million and \$50 million respectively" in paragraph 2 be replaced by the words "the sum of \$150 million".

34. Argentina proposed an amendment (A/C.2/L.545) suggesting that the word "especially" in the second preambular paragraph should be replaced by the words "and the increase in the number of Members of the United Nations through the admission of".

35. The Byelorussian Soviet Socialist Republic proposed an amendment (A/C.2/L.546) whereby the words "States Members of the United Nations or members of any of the specialized agencies or of the International Atomic Energy Agency" would be replaced by the words "all States".

36. During the course of the discussion, the sponsors replaced the words "not later than for the 1962 programmes" in paragraph 2 by the words "in the immediate future".

37. At the 712th meeting, the sponsors accepted the amendment by Argentina (A/C.2/L.545), which was accordingly withdrawn.

38. The Committee then voted on the joint draft resolution (A/C.2/L.529), as modified by the sponsors, and the amendments to it as follows:

The amendment by the Byelorussian Soviet Socialist Republic (A/C.2/L.546) was rejected by a roll-call vote of 40 to 23, with 16 abstentions. The voting was as follows:

*In favour:* Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Chad, Czechoslovakia, Dahomey, Ethiopia, Hungary, Indonesia, Iraq, Libya, Mali, Morocco, Niger, Poland, Romania, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Upper Volta, Yugoslavia.

*Against:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Cyprus, Denmark, Dominican Republic, Ecuador, Federation of Malaya, Finland, France, Greece, Guatemala, Iceland, Iran, Ireland, Italy, Japan, Lebanon, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Paraguay, Peru, Philippines, Spain, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

*Abstaining:* Afghanistan, Burma, Cameroun, Central African Republic, Gabon, India, Israel, Liberia, Nepal, Nigeria, Portugal, Somalia, Sudan, Sweden, Togo, United Arab Republic.

The amendment of the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.539), as modified orally (see para. 32 above) was rejected by 25 votes to 16, with 35 abstentions.

The amendment by Brazil (A/C.2/L.544) was adopted by a roll-call vote of 34 to 14, with 31 abstentions. The voting was as follows:

*In favour:* Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Denmark, Dominican Republic, Ecuador, Federation of Malaya, Finland, France, Gabon, Guatemala, Iceland, Ireland, Israel, Italy, Lebanon, Mexico, New Zealand, Nicaragua, Norway, Paraguay, Peru, Portugal, Spain, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

*Against:* Afghanistan, Cameroun, Central African Republic, Chad, Dahomey, Ethiopia, Greece, India, Liberia, Mali, Niger, Tunisia, Upper Volta, Yugoslavia.

*Abstaining:* Albania, Austria, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Czechoslovakia, Cyprus, Hungary, Indonesia, Iran, Iraq, Japan, Libya, Morocco, Nepal, Netherlands, Nigeria, Pakistan, Philippines, Poland, Romania, Somalia, Sudan, Sweden, Thailand, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela.

Paragraph 2, on which a separate vote had been requested by the Byelorussian Soviet Socialist Republic, was adopted by 67 votes to none, with 10 abstentions.

The draft resolution as a whole, as modified and amended, was adopted by 75 votes to none, with 2 abstentions.

39. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution III, as set forth in paragraph 64 of the present report.

#### IV

40. The draft resolution submitted by Afghanistan, Canada, Denmark, Nepal, Netherlands, New Zealand,

Peru, Sudan, Sweden and Venezuela (A/C.2/L.460), later joined as co-sponsors by Burma, Chile, Federation of Malaya, Ghana, Greece, Haiti, India, Iran, Laos, Lebanon, Nigeria, Tunisia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.460/Add.1 and 2) was introduced by the representatives of Afghanistan and Canada at the 707th meeting. The text of the draft resolution read as follows:

“UNITED NATIONS ASSISTANCE IN PUBLIC ADMINISTRATION: PROVISION OF OPERATIONAL, EXECUTIVE AND ADMINISTRATIVE PERSONNEL

*“The General Assembly,*

*“Recalling* resolutions 1256 (XIII) of 14 November 1958 and 1385 (XIV) of 20 November 1959,

*“Considering* that the experimental programme for the provision of operational, executive and administrative personnel has proved its usefulness,

*“Considering further* that the demand for such personnel is considerably increasing and their provision is urgently needed, particularly to meet the requests of newly independent countries,

*“1. Takes note* of the report of the Secretary-General on the provision of technical assistance of an operational, executive and administrative nature;\*

*“2. Approves* the recommendation of the Economic and Social Council in resolution 790 (XXX);

*“(a)* That the provision of operational, executive and administrative personnel be placed on a continuing basis;

*“(b)* That the Secretary-General continue to consult with the specialized agencies and the International Atomic Energy Agency whenever requests fall within their competence;

*“(c)* That the financial resources for this activity be established at a level appropriate to the needs for this assistance.

“\* Document to be issued. A/—”

41. The Committee considered this draft resolution at its 707th to 709th and 711th meetings.

42. Several oral suggestions were made during the course of the discussion at the 708th and 709th meetings.

43. At the 711th meeting, the representative of Afghanistan, on behalf of the sponsors, introduced a revision (A/C.2/L.460/Rev.1) of the draft resolution in which there were the following additions:

*(a)* A new paragraph was added at the end of the preamble, as follows:

*“Recalling* that several Member States have centres and institutes for training in public administration, some of which have been created or expanded with the technical assistance of the United Nations,”;

*(b)* The operative part of the draft resolution was enlarged to include four new paragraphs as follows:

*“3. Recommends*

*“(a)* That in determining the priorities according to which requests are to be met, the Secretary-General continue to take fully into account the urgency of the needs of the requesting countries;

*“(b)* That in submitting candidates for selection by recipient Governments, the Secretary-General con-

tinue to make use to the fullest possible extent of all available sources of personnel, having regard to their qualifications and experience and to the desirability of using as much as possible persons who have been trained in the above-mentioned centres and institutes for public administration;

"4. *Requests* the Secretary-General to ensure that due attention is paid in the operation of the programme to the training of nationals to assume as early as possible the responsibilities temporarily assigned to internationally recruited personnel and that due regard be given to this aspect of the matter in the reporting thereon;

"5. *Invites* the Secretary-General to adopt the same procedures in reporting to the Economic and Social Council and its Technical Assistance Committee on the programme of provision of OPEX personnel as he follows in reporting on the other United Nations Regular Programmes of Technical Assistance;

"6. *Urges* the Governments of States Members of the United Nations, or members of the specialized agencies and of the IAEA which are in a position to supply qualified personnel to this programme, to co-operate with the Secretary-General in implementing it."

44. The Committee then voted on the revised draft resolution as follows:

Paragraph 2, sub-paragraph (a), on which a separate vote had been requested by the Ukrainian Soviet Socialist Republic, was adopted by 52 votes to 9, with 5 abstentions.

The draft resolution as a whole was adopted by a roll-call vote of 56 votes to none, with 14 abstentions. The voting was as follows:

*In favour:* Afghanistan, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Cambodia, Canada, China, Cuba, Cyprus, Denmark, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guinea, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Liberia, Libya, Mali, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Peru, Portugal, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Union of South Africa, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela, Yugoslavia.

*Abstaining:* Albania, Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Dominican Republic, Ecuador, Hungary, Mexico, Philippines, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

45. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution IV, as set forth in paragraph 64 of the present report.

## V

46. The draft resolution submitted by Brazil, Ghana, India and Yugoslavia (A/C.2/L.512) was introduced by the representative of Brazil at the 709th meeting. The draft resolution read as follows:

"POSSIBILITIES OF INCREASING VOLUNTARY CONTRIBUTIONS TO THE OPERATIONAL FUND OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

*"The General Assembly,*

*"Taking into consideration* the report presented by the International Atomic Energy Agency (IAEA) concerning its programme for 1960,

*"Convinced* that the programme of technical assistance has acquired increasing importance among the activities of IAEA,

*"Considering* that the programme of technical assistance is largely financed by voluntary contributions from the member States of the IAEA,

"1. *Urges* the International Atomic Energy Agency to develop its programme of technical assistance to help the less developed countries in the utilization of nuclear energy for peaceful purposes;

"2. *Urges* the economically developed States Members of the United Nations and members of IAEA to increase substantially their voluntary contributions to the operational fund of the Agency."

47. The Committee considered this draft resolution at its 709th and 711th meetings.

48. During the course of the discussion at the 709th meeting, several oral suggestions were made.

49. At the 711th meeting, the representative of Brazil introduced a revision (A/C.2/L.512/Rev.1) of the draft resolution, in which the following changes had been made:

(a) The following paragraph had been inserted between the first and second preambular paragraphs:

*"Taking into account* the role of the Economic and Social Council in co-ordinating assistance programmes of the United Nations, the specialized agencies and the International Atomic Energy Agency,"

(b) The first word of the operative part was changed from "*Urges*" to "*Invites*";

(c) The word "substantially" in paragraph 2 was deleted.

50. The revised draft resolution ((A/C.2/L.512/Rev.1) was then adopted by 60 votes to none, with 1 abstention.

51. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution V, as set forth in paragraph 64 of the present report.

## VI

52. The draft resolution submitted by Afghanistan, Burma, Canada, Chile, Federation of Malaya, Ghana, India, Lebanon, New Zealand, Peru and Sudan (A/C.2/L.532) was introduced by the representative of Canada at the 710th meeting. The text of this draft resolution read as follows:

"UNITED NATIONS PROGRAMMES OF TECHNICAL ASSISTANCE: ARRANGEMENTS TO FACILITATE PROMPT SUPPLY OF TECHNICAL ASSISTANCE PERSONNEL

*"The General Assembly,*

*"Noting* that the Economic and Social Council's Committee on Programme Appraisals has drawn

attention in its report to the growing need of international organizations for highly trained and qualified personnel and the difficulties of recruiting them (E/3347/Rev.1, para. 372),

"*Noting* also that the Secretary-General in his report on opportunities for international co-operation on behalf of Trust Territories and newly independent States (A/4585, para. 26) has pointed out that, with the expansion of activities which he envisages for the new Member States, the task of recruiting will become still more difficult,

"*Recognizing* that the value of the provision of technical assistance personnel is in general enhanced when it is possible to meet requests for such personnel promptly,

"*Believing* that there are certain measures which Governments can take to facilitate recruiting of qualified personnel by the United Nations and its related agencies.

"1. *Urges* Governments of States Members of the United Nations, or members of the specialized agencies and of the International Atomic Energy Agency (IAEA) to support and assist the efforts being made by the Secretary-General and the executive heads of the specialized agencies and the IAEA to recruit adequate numbers of qualified personnel for the work of their organizations;

"2. *Requests* the Governments concerned to take appropriate measures to facilitate the prompt recruitment of suitably qualified personnel for long- or short-term assignments in response to requests received through the United Nations and its related agencies, especially when a requesting Government signifies that particular urgency attaches to its request;

"3. *Recommends* that for this purpose the Governments concerned consider the desirability and feasibility, within their own constitutional and administrative structures, of establishing and maintaining rosters of qualified personnel available for assignment by the United Nations and its related agencies to advisory or operational posts, or of evolving other effective means of responding rapidly to requests for technical assistance personnel including the use of National Committees;

"4. *Invites* the Governments concerned, subject to their own requirements, to bring the value of service with international organizations to the attention both of their own agencies and of other bodies which may be in a position to supply personnel, and, in order to overcome an important obstacle to rapid recruiting, to consider measures for the protection of the seniority, promotion prospects, reinstatement and pension rights of personnel made available for technical assistance assignments."

53. The Committee considered this draft resolution at its 710th and 713th meetings.

54. Poland proposed an amendment (A/C.2/L.538) suggesting the addition of the following paragraph at the end of the preamble:

"*Emphasizing* the necessity of recruiting technical assistance personnel on a wide geographical basis and without discriminating against any States,"

55. At the 713th meeting, Canada, on behalf of the sponsors, added the following additional paragraph at the end of the preamble:

"*Bearing in mind* the desirability of the recruitment of qualified and experienced technical assistance personnel on a wide geographical basis from all sources made available by all participating countries in order that requesting Governments may select the individuals best equipped to fulfil their particular requirements,"

56. The representative of Poland then withdrew his amendment (A/C.2/L.538).

57. Several oral suggestions having been made during the course of the discussion, the sponsors agreed to make the following changes in the text of the draft resolution:

(a) The words "*Believing* that there are" in the fourth preambular paragraph were replaced by the words "*Desirous* of drawing attention to";

(b) The words "and train" were inserted in operative paragraph 1 after the words "and the International Atomic Energy Agency to recruit".

58. The Committee then voted on the draft resolution, as modified by the sponsors, as follows:

Paragraph 3, on which a separate vote had been requested by Argentina, was adopted by 60 votes to none, with 6 abstentions.

The draft resolution as a whole, as modified, was adopted unanimously.

59. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution VI, as set forth in paragraph 64 of the present report.

## VII

60. General Assembly resolution 831 B (IX)<sup>7</sup> of 26 November 1954 requires confirmation by the Assembly of the allocation of funds authorized by the Technical Assistance Committee to the organizations participating in the Expanded Programme of Technical Assistance.

61. The Committee had before it a memorandum by the Secretary-General (A/C.2/208 and Corr.1) containing the draft resolution which the Technical Assistance Committee at its 228th meeting on 28 November 1960, had requested should be transmitted to the General Assembly.

62. This draft resolution was adopted unanimously at the 713th meeting.

63. The Committee, therefore, recommends to the General Assembly the adoption of draft resolution VII, as set forth in the next paragraph of the present report.

## **Recommendations of the Second Committee**

64. The Second Committee therefore recommends to the General Assembly the adoption of the draft resolutions below:

### I

#### ASSISTANCE TO FORMER TRUST TERRITORIES AND OTHER NEWLY INDEPENDENT STATES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

<sup>7</sup> See annex III, para. (V) of the resolution.

## II

## QUESTION OF ASSISTANCE TO LIBYA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## III

## CONTRIBUTIONS TO THE SPECIAL FUND AND TO THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## IV

## UNITED NATIONS ASSISTANCE IN PUBLIC ADMINISTRATION: PROVISION OF OPERATIONAL, EXECUTIVE AND ADMINISTRATIVE PERSONNEL

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## V

## POSSIBILITIES OF INCREASING VOLUNTARY CONTRIBUTIONS TO THE OPERATIONAL FUND OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## VI

## UNITED NATIONS PROGRAMMES OF TECHNICAL ASSISTANCE: ARRANGEMENTS TO FACILITATE THE PROMPT SUPPLY OF TECHNICAL ASSISTANCE PERSONNEL

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## VII

## CONFIRMATION OF THE ALLOCATION OF FUNDS FOR THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE IN 1961

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 948th plenary meeting on 14 December 1960, the General Assembly adopted draft resolutions I, II, III, IV, V, VI and VII submitted by the Second Committee (A/4649, para. 64). For the final texts, see resolutions 1527 (XV), 1528 (XV), 1529 (XV), 1530 (XV), 1531 (XV), 1532 (XV) and 1533 (XV) below.

**Resolutions adopted by the General Assembly**

## 1527 (XV). ASSISTANCE TO FORMER TRUST TERRITORIES AND OTHER NEWLY INDEPENDENT STATES

*The General Assembly,*

*Recalling* its resolutions 1414 (XIV) and 1415 (XIV) of 5 December 1959,

*Considering* that the great increase in the membership of the United Nations of countries belonging to the under-developed sector of the world economy underlines the urgency of substantially expanding the flow of technical and capital assistance to less developed countries,

*Bearing in mind* the estimate made in the Secretary-General's report of 3 June 1960 entitled "Opportunities for international co-operation on behalf of newly independent countries" (E/3387 and Add.1) that the present level of technical assistance to the newly independent States is wholly inadequate on the basis of population and of needs, and that their share of such aid will need to be more than doubled and perhaps tripled if it is to be brought roughly into line with that of other Member States of the United Nations at comparable stages of development,

*Recognizing* the urgent necessity of taking measures to strengthen and consolidate the economic independence of the new and emerging States,

*Noting* the findings and estimates contained in the Secretary-General's report of 22 November 1960 (A/4585), which includes an up-to-date assessment of the situation in the newly independent States in Africa

and is based partly on the work of a recent mission to a number of these States,

*Considering further* that diversification and industrialization are crucially important for the economic advancement of these new States,

*Noting* Economic Commission for Africa resolutions 10 (II) and 11 (II) of 5 February 1960, contained in the Commission's annual report to the Economic and Social Council (E/3320), and Council resolution 768 (XXX) of 21 July 1960,

*Welcoming* the results of the recent United Nations Pledging Conference, which indicate a substantial increase in the resources of the Expanded Programme of Technical Assistance and the Special Fund for the year 1961, and the decision of the Technical Assistance Committee to increase substantially the assistance to the newly independent and emerging States,

1. *Decides*, within the context of an all-round expansion of aid, to increase technical assistance to newly independent and emerging States to a level commensurate with their pressing needs and so ensure equitable distribution of United Nations aid, in such a way that no under-developed country suffers any curtailment in the assistance it was receiving or is altogether deprived of the eventual increase of that assistance as a consequence of increased contributions to the programmes of technical assistance;

2. *Notes with satisfaction* the proposals of the Secretary-General, contained in the report of 22 November 1960, for increased assistance to these States from the regular budget of the United Nations;

3. *Urges* the economically advanced countries to continue to render, and increase, effective financial and technical assistance to those States through multilateral and bilateral channels with no conditions attached prejudicial to their political and economic sovereignty;

4. *Invites* the Economic and Social Council to encourage and facilitate the provision through the appropriate international organs—including the United Nations programmes of technical co-operation, the Expanded Programme of Technical Assistance and the Special Fund—in co-operation with and, wherever appropriate, through the Economic Commission for Africa and other regional economic commissions, of assistance requested by Governments for:

(a) Surveys of mineral, hydroelectric, fuel and other natural resources of their countries;

(b) Specific inquiries and reports, where economic development programmes exist or are being prepared, on the needs for equipment and machinery for specific industries and for other sectors of the economy;

(c) The establishment, where economic development programmes do not yet exist, of advisory groups of experts to assist in the preparation of economic development programmes and the determination of investment requirements and priorities, and to render other advisory services as may be required;

(d) Accelerated programmes for training in practical methods and techniques of economic development programming and related subjects, including fiscal policy and management, public finance and public administration through:

(i) The use of appropriate existing institutions in individual countries;

(ii) The creation of regional and sub-regional training institutes or courses serving several countries;

(iii) The organization of seminars on specific subjects of immediate and practical value to the countries concerned;

(iv) The granting of increased fellowships and scholarships and urgent provision of facilities for in-service training;

5. *Requests* the Economic and Social Council to review at its thirty-second session, in the light *inter alia* of the reports of the United Nations operational programmes and of the reports of the Economic Commission for Africa and of the other regional economic commissions concerned, the progress made in the implementation of the present resolution, and to report to the General Assembly at its sixteenth session;

6. *Requests* the Secretary-General to lend the Economic and Social Council and the regional economic commissions concerned his assistance in the execution of the tasks mentioned in paragraphs 4 and 5 above.

*948th plenary meeting,  
15 December 1960.*

#### 1528 (XV). QUESTION OF ASSISTANCE TO LIBYA

##### *The General Assembly,*

*Recalling* the part played by the United Nations in the creation of the independent State of the United Kingdom of Libya, in accordance with General Assembly resolution 289 A (IV) of 21 November 1949 recommending that Libya should be constituted as an independent and sovereign State, and recalling that this independence was achieved on 24 December 1951, in accordance with that resolution,

*Recalling* its resolution 515 (VI) of 1 February 1952, by which it requested the Economic and Social Council to study, in consultation with the Government of the United Kingdom of Libya, ways and means by which the United Nations, with the co-operation of all Governments and the competent specialized agencies, and upon the request of the Government of Libya, could furnish additional assistance to the United Kingdom of Libya with a view to financing its fundamental and urgent programmes of economic and social development, giving consideration to the possibility of opening a special account of voluntary contributions to that end, and to report thereon to the General Assembly at its seventh session,

*Recalling further* its resolution 529 (VI) of 29 January 1952 on the problem of war damages in Libya,

*Recalling* its resolution 398 (V) of 17 November 1950 in which it recognized the special responsibility assumed by the United Nations for the future of Libya, and its resolutions 924 (X) of 9 December 1955 and 1303 (XIII) of 10 December 1958,

*Having noted* the communication dated 13 October 1960 from the Prime Minister of Libya to the Secretary-General (A/4576),

*Having noted* the report of the Secretary-General on the question of assistance to Libya (A/4575),

*Noting with satisfaction* the technical assistance given to Libya under the United Nations technical assistance programmes, in accordance with General Assembly resolutions 726 (VIII) of 8 December 1953 and 924 (X) of 9 December 1955,

*Noting also with satisfaction* the assistance being provided by the Special Fund.

1. *Invites anew* all Governments willing and in a position to do so to provide financial assistance to the United Kingdom of Libya through the appropriate mechanisms available within the United Nations for receiving voluntary contributions, in order to assist Libya in the financing of its fundamental and urgent programmes of reconstruction and economic and social development;

2. *Recommends* that, if and when further means become available for assisting in the financing of the development of under-developed areas and for expanding technical assistance to them, the United Nations, the specialized agencies and the International Atomic Energy Agency should give due consideration to the specific development needs of Libya;

3. *Requests* the Secretary-General, the Technical Assistance Board, the specialized agencies concerned and the International Atomic Energy Agency to continue to waive local costs and to give all possible favourable consideration to the requests of Libya for technical assistance, taking into account the special needs of Libya and the principles of the technical assistance programmes of the United Nations and of the specialized agencies enumerated in Economic and Social Council resolution 222 (IX) of 14 and 15 August 1949;

4. *Requests* the Governing Council and the Managing Director of the Special Fund to continue to give sympathetic consideration to requests by Libya for Special Fund assistance;

5. *Requests* the Secretary-General to bring the present resolution to the attention of the Governments of Member States and to take the necessary measures to facilitate the implementation of paragraph 1 above;

6. *Requests* the Secretary-General to make a special report on the implementation of the present resolution in time for the report to be placed on the provisional agenda of the seventeenth session of the General Assembly.

*948th plenary meeting,  
15 December 1960.*

1529 (XV). CONTRIBUTIONS TO THE SPECIAL FUND AND TO THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

*The General Assembly,*

*Having heard* the statements of the Managing Director of the Special Fund<sup>8</sup> and the Executive Chairman of the Technical Assistance Board,<sup>9</sup>

*Bearing in mind* the increasing and urgent needs of the less developed countries, and the increase in the number of Members of the United Nations through the admission of the newly independent countries,

1. *Takes note* of the report of the Governing Council of the Special Fund on its third and fourth sessions (E/3398) and of Economic and Social Council resolutions 785 (XXX), 786 (XXX) and 787 (XXX) of 3 August 1960 regarding the Expanded Programme of Technical Assistance;

2. *Urges* States Members of the United Nations or members of any of the specialized agencies or of the International Atomic Energy Agency so to increase their contributions to the Special Fund and to the Expanded Programme of Technical Assistance that the funds available to these two programmes attain, in the immediate future, the sum of \$150 million.

*948th plenary meeting,  
15 December 1960.*

1530 (XV). UNITED NATIONS ASSISTANCE IN PUBLIC ADMINISTRATION: PROVISION OF OPERATIONAL, EXECUTIVE AND ADMINISTRATIVE PERSONNEL

*The General Assembly,*

*Recalling* its resolutions 1256 (XIII) of 14 November 1958 and 1385 (XIV) of 20 November 1959,

*Considering* that the experimental programme for the provision of operational, executive and administrative personnel has proved its usefulness,

*Considering further* that the demand for such personnel is considerably increasing and their provision is urgently needed, particularly to meet the requests of newly independent countries,

*Recalling* that several Member States have centres and institutes for training in public administration, some of which have been created or expanded with the technical assistance of the United Nations,

1. *Takes note* of the report of the Secretary-General on the provision of technical assistance of an operational, executive and administrative nature (E/3370 and A/4589),

2. *Approves* the recommendations contained in Economic and Social Council resolution 790 (XXX) of 3 August 1960:

(a) That the provision of operational, executive and administrative personnel be placed on a continuing basis;

<sup>8</sup> *Official Records of the General Assembly, Fifteenth Session, Second Committee, 694th meeting, paras. 1-19.*

<sup>9</sup> *Ibid.*, 694th meeting, paras. 19-29.

(b) That the Secretary-General continue to consult with the specialized agencies and the International Atomic Energy Agency whenever requests fall within their competence;

(c) That the financial resources for this activity be established at a level appropriate to the needs for this assistance;

3. *Recommends* that:

(a) In determining the priorities according to which requests are to be met, the Secretary-General continue to take fully into account the urgency of the needs of the requesting countries;

(b) In submitting candidates for selection by recipient Governments, the Secretary-General continue to make use to the fullest possible extent of all available sources of personnel, having regard to their qualifications and experience and to the desirability of using as much as possible persons who have been trained in the above-mentioned centres and institutes for public administration;

4. *Requests* the Secretary-General to ensure that due attention be paid in the operation of the programme to the training of nationals to assume as early as possible the responsibilities temporarily assigned to internationally recruited personnel and that due regard be given to this aspect of the matter in the reporting thereon;

5. *Invites* the Secretary-General to adopt the same procedures in reporting to the Economic and Social Council and the Technical Assistance Committee on the programme of provision of operational, executive and administrative personnel as he follows in reporting on the other United Nations regular programmes of technical assistance;

6. *Urges* the Governments of States Members of the United Nations and members of the specialized agencies and of the International Atomic Energy Agency which are in a position to supply qualified personnel to this programme to co-operate with the Secretary-General in implementing it.

*948th plenary meeting,  
15 December 1960.*

1531 (XV). POSSIBILITIES OF INCREASING VOLUNTARY CONTRIBUTIONS TO THE OPERATIONAL FUND OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

*The General Assembly,*

*Taking into consideration* the report presented by the International Atomic Energy Agency concerning its programme for 1960,<sup>10</sup>

*Taking into account* the role of the Economic and Social Council in co-ordinating assistance programmes of the United Nations, the specialized agencies and the International Atomic Energy Agency,

*Convinced* that the programme of technical assistance has acquired increasing importance among the activities of the International Atomic Energy Agency,

*Considering* that the programme of technical assistance is largely financed by voluntary contributions from the States members of the International Atomic Energy Agency,

1. *Invites* the International Atomic Energy Agency to develop its programme of technical assistance to help

<sup>10</sup> *Annual report of the Board of Governors to the General Conference, 1 July 1959-30 July 1960, Vienna, July 1960 (A/4531 and Corr.1 and Add.1).*

the less developed countries in the utilization of nuclear energy for peaceful purposes;

2. *Invites* the economically developed States Members of the United Nations and members of the International Atomic Energy Agency to increase their voluntary contributions to the Operational Fund of the Agency.

948th plenary meeting,  
15 December 1960.

1532 (XV). UNITED NATIONS PROGRAMMES OF TECHNICAL ASSISTANCE: ARRANGEMENTS TO FACILITATE THE PROMPT SUPPLY OF TECHNICAL ASSISTANCE PERSONNEL

*The General Assembly,*

*Noting* that the Economic and Social Council's Committee on Programme Appraisals has drawn attention in its report to the growing need of international organizations for highly trained and qualified personnel and to the difficulties of recruiting them (E/3347/Rev.1),

*Noting also* that the Secretary-General, in his report on opportunities for international co-operation on behalf of former Trust Territories and newly independent States, has pointed out that, with the expansion of activities which he envisages for the new Member States, the task of recruiting will become still more difficult (A/4585, para. 26),

*Recognizing* that the value of the provision of technical assistance personnel is in general enhanced when it is possible to meet requests for such personnel promptly,

*Desirous* of drawing attention to certain measures which Governments can take to facilitate the recruiting of qualified personnel by the United Nations and its related agencies,

*Bearing in mind* the desirability of the recruitment of qualified and experienced technical assistance personnel on a wide geographical basis from all sources made available by all participating countries, in order that requesting Governments may select the individuals best equipped to fulfil their particular requirements,

1. *Urges* Governments of States Members of the United Nations and members of the specialized agencies and of the International Atomic Energy Agency to support and assist the efforts being made by the Secretary-General and the executive heads of the specialized agencies and the International Atomic Energy Agency to recruit and train adequate numbers of qualified personnel for the work of their organizations;

2. *Requests* the Governments concerned to take appropriate measures to facilitate the prompt recruitment of suitably qualified personnel for long- or short-term assignments in response to requests received through the United Nations and its related agencies, especially when a requesting Government signifies that particular urgency attaches to its request;

3. *Recommends* that for this purpose the Governments concerned consider the desirability and feasibility, within their own constitutional and administrative structures, of establishing and maintaining rosters of qualified

personnel available for assignment by the United Nations and its related agencies to advisory or operational posts, or of evolving other effective means of responding rapidly to requests for technical assistance personnel, including the use of national committees;

4. *Invites* the Governments concerned, subject to their own requirements, to bring the value of service with international organizations to the attention both of their own agencies and of other bodies which may be in a position to supply personnel, and in order to overcome an important obstacle to rapid recruiting to consider measures for the protection of the seniority, prospects for promotion, reinstatement and pension rights of personnel made available for technical assistance assignments.

948th plenary meeting,  
15 December 1960.

1533 (XV). CONFIRMATION OF THE ALLOCATION OF FUNDS FOR THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE IN 1961

*The General Assembly,*

*Noting* that the Technical Assistance Committee has reviewed and approved the Expanded Programme of Technical Assistance for the years 1961 and 1962,

1. *Confirms* the allocation of funds authorized by the Technical Assistance Committee to each of the organizations participating in the Expanded Programme of Technical Assistance from contributions, general resources and local costs assessments, as follows:

<i>Participating organization</i>	<i>Allocation (equivalent of US dollars)</i>
United Nations . . . . .	8,806,838
International Labour Organisation . . . . .	4,274,019
Food and Agriculture Organization of the United Nations . . . . .	10,569,053
United Nations Educational, Scientific and Cultural Organization . . . . .	6,593,104
International Civil Aviation Organization . . . . .	1,534,750
World Health Organization . . . . .	6,912,445
International Telecommunication Union . . . . .	804,465
World Meteorological Organization . . . . .	636,622
International Atomic Energy Agency . . . . .	768,704
<b>TOTAL</b>	<b>40,900,000</b>

2. *Concurs* in the Committee's authorization to the Technical Assistance Board to allocate to the participating organizations an undistributed amount of \$162,162 not included in the amount shown above, and to make changes in these allocations as may be necessary to provide as far as possible for the full utilization of contributions to the Expanded Programme, provided that such changes shall not in the aggregate exceed 3 per cent of the total amount allocated to the organizations participating in the Expanded Programme;

3. *Concurs further* in the Committee's authorization to the participating organizations to retain for operations in 1962 the balance of funds allocated to them in 1961 which have not been obligated by the end of the year.

948th plenary meeting,  
15 December 1960.

## CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda items 28, 30 31 and 32 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4415	Report of the Economic and Social Council (1 August 1959-5 August 1960)	<i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 3</i>
A/4531 and Corr.1 and A/4531/Add.1	Note by the Secretary-General transmitting to the General Assembly the fourth report of the International Atomic Energy Agency	Mimeographed
A/C.2/208 and Corr.1	Memorandum by the Secretary-General	Mimeographed. See A/4649, para. 61
A/C.2/L.460 and Add.1 and 2	United Nations assistance in public administration: provision of operational, executive and administrative personnel: Afghanistan, Burma, Canada, Chile, Denmark, Federation of Malaya, Ghana, Greece, Haiti, India, Iran, Laos, Lebanon, Nepal, Netherlands, New Zealand, Nigeria, Peru, Sudan, Sweden, Tunisia, United Kingdom of Great Britain and Northern Ireland and Venezuela: draft resolution	See A/4649, para. 40
A/C.2/L.460/Rev.1	United Nations assistance in public administration: provision of operational, executive and administrative personnel: Afghanistan, Burma, Canada, Chile, Denmark, Federation of Malaya, Ghana, Greece, Haiti, India, Iran, Laos, Lebanon, Nepal, Netherlands, New Zealand, Nigeria, Peru, Sudan, Sweden, Tunisia, United Kingdom of Great Britain and Northern Ireland and Venezuela: revised draft resolution	<i>Ibid.</i> , para. 43
A/C.2/L.470/Rev.3	Decentralization of the United Nations economic and social activities and strengthening of regional economic commissions: Argentina, Brazil, Burma, Chile, Colombia, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guinea, India, Iraq, Liberia, Libya, Morocco, Nigeria, Pakistan, Sudan, Thailand, Togo, Tunisia, United Arab Republic, Venezuela and Yugoslavia: revised draft resolution	For the text of this document, see <i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 16</i> , resolution 1518 (XV)
A/C.2/L.509	Assistance to former Trust Territories and other newly independent States: Czechoslovakia, Ghana, Guinea, India, Libya, Nigeria, Sudan, United Arab Republic and Yugoslavia: draft resolution	See A/4649, para. 6
A/C.2/L.509/Rev. 1 and Add.1 and 2	Assistance to former Trust Territories and other newly independent States: Czechoslovakia, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Liberia, Libya, Nigeria, Somalia, Sudan, Thailand, Togo, United Arab Republic and Yugoslavia: revised draft resolution	<i>Ibid.</i> , para. 7
A/C.2/L.509/Rev.2	Assistance to former Trust Territories and other newly independent States: Chad, Cuba, Czechoslovakia, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Liberia, Libya, Nigeria, Somalia, Sudan, Thailand, Togo, United Arab Republic and Yugoslavia: revised draft resolution	<i>Ibid.</i> , para. 17
A/C.2/L.512	Possibilities of increasing voluntary contributions to the operational fund of the International Atomic Energy Agency: Brazil, Ghana, India and Yugoslavia: draft resolution	<i>Ibid.</i> , para. 46
A/C.2/L.512/Rev.1	Possibilities of increasing voluntary contributions to the operational fund of the International Atomic Energy Agency: Brazil, Ghana, India and Yugoslavia: revised draft resolution	<i>Ibid.</i> , para. 49
A/C.2/L.519	Statement made by the Managing-Director of the Special Fund at the 694th meeting of the Second Committee on 28 November 1960	Mimeographed; for summary see A/C.2/SR.694, paras. 1-18
A/C.2/L.520	Statement made by the Executive Chairman of the Technical Assistance Board at the 694th meeting of the Second Committee on 28 November 1960	<i>Ibid.</i> , paras. 19-29
A/C.2/L.521	Statement made by the Commissioner for Technical Assistance at the 694th meeting of the Second Committee on 28 November 1960	<i>Ibid.</i> , paras. 30-40
A/C.2/L.522	Statement made by the Executive Secretary of the Economic Commission for Africa at the 694th meeting of the Second Committee on 28 November 1960	<i>Ibid.</i> , paras. 41-45
A/C.2/L.524	Cyprus: amendments to document A/C.2/L.509/Rev.1	See A/4649, para. 9
A/C.2/L.525	United States of America: amendment to document A/C.2/L.509/Rev.1	<i>Ibid.</i> , para. 10
A/C.2/L.526	Argentina, Brazil and Chile: amendment to document A/C.2/L.509/Rev.1	<i>Ibid.</i> , para. 11
A/C.2/L.527	Netherlands, New Zealand and United Kingdom of Great Britain and Northern Ireland: amendments to document A/C.2/L.509/Rev.1	<i>Ibid.</i> , para. 13
A/C.2/L.528	France: amendment to document A/C.2/L.509/Rev.1	<i>Ibid.</i> , para. 12
A/C.2/L.529 and Corr.1	Contributions to the Special Fund and to the Expanded Programme of Technical Assistance: Afghanistan, Greece, India, Indonesia, Iraq, Netherlands, Nigeria, United Arab Republic and Yugoslavia: draft resolution	<i>Ibid.</i> , para. 30

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.2/L.530	France: amendment to document A/C.2/L.527	<i>Ibid.</i> , para. 14
A/C.2/L.531 and Add.1 and 2	Question of assistance to Libya. Ethiopia, Gabon, Ghana, Greece, Iraq, Jordan, Lebanon, Liberia, Morocco, Nigeria, Pakistan, Saudi Arabia, Somalia, Sudan, Tunisia, Turkey, United Arab Republic and Yemen: draft resolution	<i>Ibid.</i> , para. 25
A/C.2/L.532	United Nations technical assistance programmes: arrangements to facilitate prompt supply of technical assistance personnel. Afghanistan, Burma, Canada, Chile, Federation of Malaya, Ghana, India, Lebanon, New Zealand, Peru and Sudan: draft resolution	<i>Ibid.</i> , para. 52
A/C.2/L.533	Japan: amendment to document A/C.2/L.509/Rev.1	<i>Ibid.</i> , para. 15
A/C.2/L.534	Argentina: amendment to document A/C.2/L.509/Rev.1	<i>Ibid.</i> , para. 16
A/C.2/L.538	Poland: amendment to document A/C.2/L.532	<i>Ibid.</i> , para. 54
A/C.2/L.539	United Kingdom of Great Britain and Northern Ireland: amendment to document A/C.2/L.529	<i>Ibid.</i> , para. 32
A/C.2/L.542	Draft resolution of the Second Committee	Same text as A/4649
A/C.2/L.544	Brazil: amendment to document A/C.2/L.529 and Corr.1	See A/4649, para. 33
A/C.2/L.545	Argentina: amendment to document A/C.2/L.529 and Corr.1	<i>Ibid.</i> , para. 34
A/C.2/L.546	Byelorussian Soviet Socialist Republic: amendment to document A/C.2/L.529 and Corr.1	<i>Ibid.</i> , para. 35
E/3320	Economic Commission for Africa: annual report (7 January 1959-6 February 1960)	<i>Official Records of the Economic and Social Council, Thirtieth Session, Supplement No. 10</i>
E/3370	Provision of operational, executive and administrative personnel: report of the Secretary-General	<i>Ibid.</i> , Thirtieth Session, Annexes, agenda item 6
E/3387 and Add.1	Opportunities for international co-operation on behalf of newly independent countries: report of the Secretary-General	<i>Ibid.</i> , agenda items 2 and 4
E/3398	Report of the Governing Council of the Special Fund on its third and fourth sessions	<i>Ibid.</i> , Thirteenth Session, Supplement No. 11
E/3401 and Corr.1	Note by the Secretary-General transmitting the annual report of the Managing Director of the Special Fund for 1959 (SF/L.28/Rev.1 and Corr.1)	Mimeographed
E/CN.13/L.66	Study of prospective demand for and supply of non-agricultural commodities over the medium term: preliminary report of the Secretary-General	Ditto
E/CN.13/L.70	Projections of demand for and production of agricultural commodities: report by the Food and Agriculture Organization of the United Nations	Ditto
E/TAC/L.228	Expanded Programme of Technical Assistance for 1961-1962: recommendations of the Technical Assistance Board	Ditto
SF/L.24 and Corr.1	Administrative budget estimates of the Special Fund for 1960	Ditto
SF/L.28/Rev.1 and Corr.1	Annual report of the Managing Director of the Special Fund for 1959	Ditto



**Agenda item 33: Assistance to refugees:**

- (a) Report of the United Nations High Commissioner for Refugees;
- (b) Report of the Secretary-General on the World Refugee Year\*

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Third Committee*, 999th to 1006th meetings; and *ibid.*, *Plenary Meetings*, 935th meeting.

**DOCUMENT A/4546**

**Report of the Secretary-General on the World Refugee Year**

[Original text: English]  
[22 October 1960]

**I. Introduction**

1. In resolution 1285 (XIII), adopted on 5 December, 1958, the General Assembly called for a World Refugee Year to begin in June 1959. The Assembly noted that the proposal for a World Refugee Year had two aims: to focus interest on the refugee problem and to encourage additional governmental and voluntary contributions; and to encourage additional opportunities for permanent refugee solutions. It urged States Members of the United Nations and members of the specialized agencies to co-operate "in accordance with the national wishes and needs of each country and from a humanitarian point of view" in promoting the Year as a practical means of securing increased assistance for refugees throughout the world. The Secretary-General was requested to assist in the promotion of the Year.

2. The Secretary-General accordingly appointed one of his personal assistants, Claude de Kémoularia, as his Special Representative for World Refugee Year.<sup>1</sup> He was assisted by a small unit staffed in the main by officers lent from other offices of the United Nations and having particular experience in refugee work or in public information. This served the dual purpose of

keeping administrative costs to a minimum and of ensuring co-ordination with other offices of the Secretariat involved in the promotion of the World Refugee Year (WRY), in particular the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the Office of Public Information. The headquarters of the Unit was established at Geneva where advantage could be taken of the experience and documentation provided by UNHCR and of the presence of the headquarters of the Standing Conference of Voluntary Agencies Working for Refugees. A liaison office was also established at United Nations Headquarters to promote activities on the American continent and to maintain liaison with the Permanent Missions of the Member Governments and with other branches of the Secretariat.

3. It was clear from the outset that the purpose of the WRY Unit would be to serve as a temporary promotion and co-ordination unit. It would in no sense seek to direct the campaigns of participating countries but would rather serve as a central point from which assistance, advice or information could be obtained by all countries desiring it. Throughout the year, the Unit co-operated closely with UNHCR, UNRWA and the Office of Public Information, as well as with the Inter-Governmental Committee for European Migration (ICEM)—which transports refugees in the mandate of UNHCR—the Standing Conference of Voluntary Agencies Working for Refugees and other non-governmental organizations interested in refugee problems.

<sup>1</sup> A full account of World Refugee Year—its origins, the action taken by the General Assembly during its thirteenth and fourteenth sessions, the activities of the World Refugee Year secretariat in helping to promote the year and co-ordinate action taken in participating countries, formation and methods of operation of National Committees, etc.—will be found in the report of the Secretary-General's Special Representative, which will be made available to Members in mimeographed form.

The Special Representative also established direct contact with the Permanent Missions and visited forty-five of the ninety-seven countries and territories participating in the campaign to discuss with Governments various methods of implementing the Assembly's resolution. He also held press conferences in all countries visited to make the aims and progress of the Year more widely known and established direct contact with the National WRY Committees which were set up in the various countries to organize the national campaigns. The WRY Unit prepared special information material suitable for use in national campaigns and by the Press, including thirty-five issues of a World Refugee Year Newsletter and eleven Supplements, dealing with the activities of participating countries, and thirty-eight pamphlets on various aspects of the refugee problem. Newsletters and pamphlets were designed for distribution and reproduction or adaptation by the National Committees and by participating organizations all over the world. They were very widely used in many countries. Other offices, in particular the Office of Public Information, UNHCR and UNRWA, also co-operated in producing information material specially for World Refugee Year. These included press releases, articles in the *United Nations Review*, film, television and radio material, exhibitions, photographs and posters.

4. The initial expenditure foreseen by the Assembly for implementing its resolution was a maximum of \$80,000 during 1959-1960, requiring an appropriation of \$50,000 in 1959. This appropriation was later increased by \$10,000 on the basis of a supplementary estimate<sup>2</sup> in view of the participation in the Year by additional Governments. A further \$30,000 was appropriated for 1960, which was supplemented by \$4,000 transferred with the concurrence of the Advisory Committee on Administrative and Budgetary Questions from another section of the 1960 budget. Thus, the total provision for the World Refugee Year amounted to \$94,000.<sup>3</sup>

5. As indicated, a total of ninety-seven countries and territories participated in one way or another in the Year.<sup>4</sup> The vital role played by Governments in the WRY will be fully appreciated from the results given later in this report. However, in the spirit of the resolution, a special effort was also hoped for from the general public. In this connexion, it would be true to say that the National Committees for WRY were the most important single factor making for the success of the campaigns. Thirty-nine national committees were established to promote WRY. Very often, the patronage of the Head of State lent prestige to the newly-formed Committees. Sixteen national committees have been headed by the Head of State. The important role played in many national committees by non-governmental organizations should also be stressed. In April 1959, the members of the Standing Conference of Voluntary Agencies Working for Refugees joined with some thirty other non-governmental organizations and established in Geneva the International Committee for World Refugee Year (ICWRY). By the summer of 1960, the total memberships amounted to seventy-eight.<sup>5</sup> It is believed that ICWRY represented the most far-reaching co-operative effort ever directed by the

voluntary agencies in a single humanitarian objective. In January 1960, half-way through the Year, a conference was summoned in Geneva by ICWRY to enable its members and as many national committee representatives as possible, to discuss programmes and current plans. Delegates from all over the world, representing some fifty non-governmental organizations and thirty-nine participating countries, were present at this meeting. The Conference adopted a number of recommendations regarding legal protection for refugees, resettlement and WRY publicity.

6. It is impossible in this report to give a detailed description or even examples of the rich imagination shown by individuals as well as organizations or national committees in their campaigns to promote WRY. Evidence of the world-wide support given to this humanitarian endeavour was shown in the uniting of the Christian churches with members of Moslem, Jewish and Buddhist faiths in prayer for the success of WRY.

7. A stamp plan, jointly sponsored by the Office of the High Commissioner for Refugees and UNRWA, brought a total of seventy countries and territories to agree to issue stamps in celebration of WRY.<sup>6</sup>

8. As World Refugee Year advanced, various organs of the United Nations continued to hear reports on its progress and to encourage WRY activities. One of these organs was the Negotiating Committee for Extra-Budgetary Funds. Its members took the initiative in approaching the Permanent Missions at United Nations Headquarters and in other ways seeking to enlist support for the financial objectives of WRY.

9. At its fourteenth session, the General Assembly, after hearing accounts from many delegations of the progress of the campaigns in their countries, adopted resolution 1390 (XIV) reaffirming its support of WRY and urging additional efforts from Member States and States members of specialized agencies.

## II. Refugee needs on the eve of the World Refugee Year

10. As provided in the Assembly's resolution, the aims of World Refugee Year were: (1) to focus interest on the refugee problem; (2) to encourage additional financial contributions from Governments, voluntary agencies and the general public for its solution; and (3) to encourage additional opportunities for permanent refugee solutions through voluntary repatriation, resettlement or integration on a purely humanitarian basis. The resolution made it clear that World Refugee Year was to be essentially a series of national efforts. However important, the need for funds was not always paramount. Many thousands of refugees wished to emigrate from countries in which they had found asylum and to resettle in other lands where they had relatives, friends or simply the prospect of happiness. On a different level, refugees in a number of countries could find their legal and ultimately their economic position greatly improved if the Governments of those countries were to ratify or accede to the 1951 Convention relating to the Status of Refugees,<sup>7</sup> or to certain other international agreements.

<sup>2</sup> A list of countries and territories participating in the Stamp Plan is given in annex D.

<sup>7</sup> United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, held at Geneva, Switzerland, from 2 to 25 July 1951, *Final Act and Convention relating to the Status of Refugees* (United Nations publication, Sales No.: 51.IV.4).

<sup>2</sup> See *Official Records of the General Assembly, Fourteenth Session, Annexes*, agenda item 43, document A/4198, para. 58.

<sup>3</sup> For a break-down of WRY expenditure, see annex B.

<sup>4</sup> A list of the participants is given in annex A.

<sup>5</sup> A list of the participating organizations in ICWRY is given in annex C.

11. The third specific objective of WRY mentioned in the resolution, namely to encourage additional opportunities for the permanent refugee solutions, did not apply in the same way to all refugees. For example, the problem of Arab refugees from Palestine who come within the mandate of UNRWA has political and psychological aspects with which WRY as a purely humanitarian initiative was not competent to deal. Questions of permanent resettlement or integration, which loomed so large in the objectives of the Office of the High Commissioner, could not therefore be among the aims of UNRWA for WRY. But additional funds contributed to UNRWA during WRY could be of the utmost assistance, especially in providing vocational training for more of the young refugees and in enabling a number of the refugees to become self-supporting. It could bring the chance for a life of dignity and self-support for many of the Arab refugees.

12. It was furthermore the intention of the sponsors of WRY that it should be concerned with the problems of all refugees, whether they came within the mandate of UNHCR or UNRWA or not. The following is a short résumé of the needs which it was hoped to assist in meeting as a result of the additional effort furnished by WRY.

(a) *Office of the United Nations High Commissioner for Refugees*

13. Previous to the opening of WRY, the regular programmes of UNHCR called for the expenditure of \$4,700,000. The Executive Committee of the High Commissioner's Programme had authorized the expenditure of \$12 million as an exceptional measure during WRY. Additional funds amounting to \$7,300,000 were thus the minimum sum needed by the High Commissioner for his supplementary WRY efforts on behalf of various categories of refugees within his mandate, including the sums required to clear from European camps all refugees within his mandate, to launch a first expanded programme of aid to European refugees out of camp, to resettle refugees of European origin now in the Far East (Far Eastern Operation) and to assist certain ethnic refugees in Greece. The good offices of the High Commissioner had been sought by the General Assembly on behalf of refugees from Algeria in Tunisia and Morocco. During WRY he appealed to all countries to support certain supplementary aid programmes which had been designed to provide these refugees with urgently needed emergency supplies and care.

14. The High Commissioner's good offices had also been sought by the General Assembly to encourage arrangements for contributions for the Chinese refugees in Hong Kong. The Government of Hong Kong suggested a figure of \$7,280,800 as being necessary to meet a minimum supplementary programme of assistance to Chinese refugees which they wished to launch with the help of the WRY multi-national appeal.

15. In the case of UNHCR, great stress was laid on the more rapid integration of refugees in their countries of first asylum or their resettlement elsewhere. This latter solution would involve the liberalization of certain immigration criteria in countries of reception, criteria which had for years put a brake on the movement of refugees, especially those who were aged, sick or handicapped. One striking target which the High Commissioner fixed for WRY was the clearance from camps in Europe of all refugees within his mandate still living there. In order to effect this clearance, the Office of the High Commissioner required not only the additional funds requested for that purpose but also the co-operation of Governments, partly in regard to the acceptance of larger numbers of refugee immigrants and, in particular, of those classified as handicapped, or difficult to resettle.

16. The Office of the High Commissioner was deeply concerned with the general problem of legal protection for refugees and, although this was not specifically mentioned in the resolution, the High Commissioner frequently drew attention to its importance and announced at the beginning of WRY that he would welcome, as a contribution to it by Governments, accession to or ratification of the 1951 Convention relating to the Status of Refugees and The Hague Agreement relating to Refugee Seamen. Other agreements designed to help refugees in their attempt to establish themselves and to start a new life could also represent a valuable contribution to WRY outside the financial field.

(b) *United Nations Relief and Works Agency for Palestine Refugees in the Near East*

17. The Director of UNRWA, Dr. John Davis, emphasized that supplementary funds contributed to the Agency from governmental and other sources as a result of WRY would help to realize certain vitally urgent projects for which money was not available in UNRWA's regular budget. The Director announced that he hoped to receive a minimum supplementary contribution of \$4 million as a result of WRY, this money to be spent approximately as follows:

Project	Approximate cost of construction, equipment and operation for one year (in US dollars)
A. <i>Vocational training</i>	
Vocational training centre for 224 boys, now under construction near Damascus (Syrian Region of United Arab Republic) classes to open in September 1961 .....	500,000
Vocational training centre for 192 boys, now being built in Lebanon to open in September 1961 .....	500,000
Vocational training centre for 275 girls now under construction in Jordan	500,000
Training centre for 220 boys in Gaza to open in September 1962 .....	500,000
Vocational training centre for boys opening in September 1962 (location not yet known) .....	500,000
Vocational training centre—location and type to be determined .....	500,000
	<hr/> 3,000,000
Expenditure envisaged during 1961 .....	2,209,000

	<i>Approximate cost (in US dollars)</i>
B. <i>University scholarships</i>	
Cost .....	500,000
Expenditure envisaged during 1961 .....	99,000
C. <i>Self-help grants</i>	
Cost .....	500,000
Expenditure envisaged during 1961 .....	167,000

(c) *Some other needs*

18. The following countries with refugees on their territory supplied the WRY secretariat with official data which were used at their request to produce illustrated pamphlets: Austria, Federal Republic of Germany, France, Greece, Israel, Italy, Pakistan, Morocco, Tunisia and Viet-Nam. These countries did not ask for specific sums of money or define precise needs or expectations from WRY. They hoped that the situation in their countries would become better known thanks to WRY and that a favourable climate would thereby be created leading to increased international support for the initiatives they were taking to help their refugees. As a result of WRY, all of them received additional international assistance.

19. Certain voluntary agencies had expressed particular interest in those refugees who were not receiving international assistance from either of the United Nations organs concerned with refugees and, at the beginning of WRY, they drew attention to the needs of these groups, both in general terms and in relation to certain specific programmes which they envisaged, either as new initiatives or as extensions of their existing operations which they hoped would be made possible by fund-raising during WRY. Some of the voluntary agencies announced their intention of doubling or even trebling the funds which they normally raised for the benefit of refugees.

### III. Some results of World Refugee Year

20. Although World Refugee Year came to an end officially in most countries on 30 June 1960, it is not possible, three months later—30 September 1960—to present a complete analysis of results. On the one hand, a number of participating countries decided to prolong their campaigns for varying periods beyond 30 June and, in some cases, well into 1961. On the other hand, the process of collating regional reports and those from participating agencies was still incomplete in various countries, which emphasized the interim nature of the reports they have so far been able to submit to the Secretary-General.<sup>8</sup> Certain general results of the Year can, however, be summarized from the material available.

#### A. GENERAL RESULTS

21. The total sum contributed, pledged or raised from all sources as a supplementary effort over and above the sums normally contributed and raised each year for refugees was \$74,756,032, of which 11 per cent was in kind.<sup>9</sup> Of this sum, participating Governments had contributed or pledged \$23,219,979. National committees and others had raised \$51,536,053. To this should be added approximately \$5 million raised by

various international voluntary agencies, members of ICWRY which do not appear in national committee totals, making a grand total of some \$80 million.

22. In addition, the Stamp Plan sponsored jointly by UNHCR and UNRWA will produce, from the sale of stamps and first-day covers, a sum not yet precisely known but estimated to be in the neighbourhood of at least \$1 million. By mutual agreement, 75 per cent of this sum will go to UNHCR and 25 per cent to UNRWA.

#### (a) *Refugees within mandate of the Office of the High Commissioner for Refugees*

23. A sum of \$22,539,662 had been contributed, pledged or raised on behalf of refugees within the mandate of UNHCR, not counting refugees from Algeria. Of this sum, \$8,058,875 was directly contributed to the High Commissioner in response to his request for \$7,300,000 to finance supplementary WRY efforts on behalf of refugees within his mandate.<sup>10</sup> An important result of this WRY effort is that the High Commissioner's camp clearance programme in Europe can now be completely financed from available funds. This will mean that all of the 32,000 refugees within his mandate who were living in European camps when WRY opened will either be integrated in their countries of first asylum or resettled elsewhere.

24. In addition, a considerable number of refugees within the mandate of the High Commissioner living outside camps in Europe will also be helped towards integration or resettlement with the assistance of these supplementary WRY funds.

25. Also included in the total of \$22,539,662 was a sum of \$1,211,724 exclusively for refugee transportation (mainly by ICEM) and \$13,269,063 are for other programmes also benefiting refugees within the High Commissioner's mandate, but in most cases not administered by him.

26. Particularly encouraging results were attained in the case of handicapped and difficult-to-resettle refugees. The Office of the High Commissioner estimates that, thanks to the liberalization of immigration criteria by various countries during WRY, some 4,000 handicapped refugees will be resettled outside their countries of first asylum, making with their dependants some 7,000 persons in all. This figure may be compared with that of 4,665 handicapped refugees and their families who were resettled in the seven years 1952-1958.

27. The various appeals on behalf of refugees from Algeria in Tunisia and Morocco produced contributions amounting by 30 September 1960 to \$5,264,291, of which \$2,707,079 were directed to the High Commissioner's Office.

<sup>8</sup> The present report is based on information available as at 30 September 1960. Fuller information on the campaigns will be issued when it becomes available.

<sup>9</sup> Details regarding these funds are listed in annexes E and F.

<sup>10</sup> The source of these funds is listed in annex G. A balance of some \$1,265,128 was, however, still required on 30 September 1960 to cover in full the High Commissioner's 1960 regular programme.

(b) *Chinese refugees in Hong Kong*

28. A sum of \$4,486,074 was contributed or pledged up to 30 September 1960 on behalf of Chinese refugees in Hong Kong. Of this sum, approximately \$2,500,000 will go towards the Hong Kong Government's goal of \$7,280,000 for its WRY projects.

(c) *Arab refugees from Palestine*

29. As at 30 September 1960, \$7,873,823 had been contributed or pledged for the Arab refugees from Palestine within the mandate of UNRWA. Of this sum, UNRWA had received contributions and pledges totalling \$2,271,851<sup>11</sup> and promises of a further \$1 million towards the \$4 million minimum target set by its Director for his special programme when WRY opened.

(d) *Other refugees*

30. This category will benefit to the extent of \$14,967,688. Recipients will be refugees in Europe not in the mandate of the High Commissioner and various refugee groups in Asia.

31. Of the total of \$80 million, it should be noted that more than \$20 million appears still unallocated to any specific refugee programme.

## B. PROMOTION OF WRY AIMS

(a) *To focus interest on the refugee problem*

32. To arouse interest was fundamental to the success of WRY, and financial contributions, of which details are given below, offer a partial reflection of the depth of that interest. Money contributions, however, were only one result of the new interest aroused in refugee problems. No less important is the realization, much more widespread as a result of WRY, that the problem of refugees is still with us and will still call for the active assistance both of Governments and peoples. The main credit for the astonishing range and persistence of the publicity given to WRY in the participating countries must go to the Governments, national committees and voluntary agencies which led and inspired the campaigns. No tribute could be too high for the effort which was sustained in so many countries over so many months.

33. Close liaison was maintained between the Secretariat and the national committees and between the national committees and the Press, and the coverage given to World Refugee Year in many countries was more varied and spread over a longer period than that given by the Press to many other aspects of United Nations activities. A regular supply of articles and news clippings from participating countries was received by

<sup>11</sup> See annex H.

the WRY Unit in Geneva and proved a valuable source of information for the Unit's own Newsletter. Only a proportion of articles and news items in about a dozen languages all told reached the WRY Unit in Geneva from the participating countries, but these items alone, incomplete as they must be, required eighty filing boxes, each a foot high and over three inches thick. If published in book form, they would fill more than 100 volumes of an average length of 250 pages.

34. Apart from the statements of innumerable individuals that they owed to the WRY campaign their understanding of the refugee problem and of the need for active help in the future, various national committees showed their awareness of this same need by continuing their efforts for refugees after 30 June 1960 for varying periods or for an indefinite time (Argentina, Australia, Brazil, Canada, Colombia, France, the Federal Republic of Germany, Italy, Sweden, the Union of South Africa and the United States). The United Kingdom was one country where the Standing Conference of Voluntary Agencies Working for Refugees was re-established in a strengthened form as a result of WRY.

35. In the same spirit, a statement was handed to the Special Representative of the Secretary-General on 7 July 1960 by a delegation representing the seventy-eight voluntary agencies that formed ICWRY. This statement drew attention to the fact that while the hopes of many refugees had been fulfilled thanks to WRY, "it is abundantly clear that the refugee question continues to pose enormous issues not only to the refugees themselves and their countries of asylum, but to the whole of society. The conclusion of the Year must not result in a curtailment of efforts to help those who remain".

36. Further, the fifteenth Plenary Assembly of the World Federation of United Nations Associations (WFUNA), meeting in Warsaw in September 1960, adopted a resolution in which the Federation "Emphasizes that, notwithstanding these achievements, World Refugee Year should be considered only a significant impetus, since it was not intended to solve, and has not fully solved, the problem of refugees, and therefore urges WFUNA and its member Associations, together with other voluntary organizations and Governments, to continue their efforts to solve as many aspects as possible of the refugee problem and to seek to eliminate the conditions which cause people to seek refuge".

(b) *To encourage additional financial contributions*

37. Below will be found a provisional statement of the contributions in cash and kind from Governments, national committees and other sources in all participating countries from which reports had been received by 30 September 1960. These data refer exclusively to *additional* funds provided on the occasion of WRY, over and above contributions of a continuing nature which may be made for refugees.

PROVISIONAL TABLE OF WRY CONTRIBUTIONS  
by participating countries and territories as known at 30 September 1960

Country or territory	Government*	Special financial contributions for World Refugee Year	
		National Committees and others (in US dollars)	Total
Australia .....	351,146	1,568,100	1,919,246
Austria .....	7,846,153	211,538	8,057,691
Bahrein .....	28,366	420	28,786
Barbados (West Indies) .....	—	1,281	1,281
Belgium .....	—	655,018	655,018

PROVISIONAL TABLE OF WRY CONTRIBUTIONS (*continued*)

Country or territory	<i>Special financial contributions for World Refugee Year</i>		
	Government*	National Committees and others (in US dollars)	Total
Bermuda .....	2,800	27,510	30,310
Bolivia .....	—	980	980
Brazil .....	55,000	—	55,000
British Honduras .....	699	—	699
Brunei (Borneo) .....	10,000	—	10,000
Burma .....	2,092	262	2,354
Cambodia .....	572	—	572
Canada .....	1,620,000	1,834,931	3,454,931
Ceylon .....	1,000	—	1,000
Chile .....	8,520	—	8,520
China (Republic of) .....	12,500	218,600	231,100
Colombia .....	2,000	6,094	8,094
Costa Rica .....	—	120	120
Cuba .....	10,000	—	10,000
Denmark .....	376,429	796,293	1,172,722
Federation of Malaya .....	2,500	—	2,500
Finland .....	5,000	86,106	91,106
France .....	1,450,000	—	1,450,000
Gambia .....	30	—	30
Germany (Federal Republic of) .....	1,767,857	2,779,761	4,547,618
Ghana .....	3,000	2,861	5,861
Greece .....	5,000	5,000	10,000
Holy See .....	4,000	—	4,000
Hong Kong .....	—	143,970	143,970
Iran .....	—	38,929	38,929
Ireland .....	16,800	178,684	195,484
Israel .....	5,000	2,222	7,222
Italy .....	805,152	65,818	870,970
Japan .....	5,000	—	5,000
Kuwait .....	112,013	—	112,013
Liberia .....	3,000	—	3,000
Luxembourg .....	3,000	50,000	53,000
Malta .....	—	7,156	7,156
Mexico .....	20,000	—	20,000
Monaco .....	2,000	—	2,000
Morocco .....	80,000	—	80,000
Netherlands .....	183,157	1,749,999	1,933,156
New Zealand .....	196,023	1,024,923	1,220,946
Norway .....	419,991	2,273,553	2,693,544
Pakistan .....	3,150	—	3,150
Panama .....	—	200	200
Philippines .....	—	28,358	28,358
Portugal .....	—	8,635	8,635
Qatar .....	84,010	—	84,010
Rhodesia and Nyasaland .....	—	30,308	30,308
Sierra Leone .....	700	—	700
Sweden .....	166,988	2,580,308	2,747,296
Switzerland .....	440,092	955,303	1,395,395
Thailand .....	6,250	—	6,250
Tunisia .....	700,000	—	700,000
Turkey .....	15,000	41,670	56,670
Uganda .....	7,280	604	7,884
Union of South Africa .....	41,200	—	41,200
United Arab Republic .....	—	465,000	465,000
United Kingdom .....	1,120,134	20,540,016	21,660,150
United States .....	5,049,375	13,076,621	18,125,996
Viet-Nam (Republic of) .....	5,000	60,000	65,000
Yugoslavia .....	165,000	18,900	183,900
TOTAL	23,219,979	51,536,053	74,756,032

\* Paid, pledged, or promised subject to parliamentary approval.

38. Some of the campaigns which were closed by 30 September 1960 gave outstanding results in terms of *per caput* contributions:

Country	Total WRY contribution (in US dollars)	Contribution per caput (in US cents)	Country	Total WRY contribution (in US dollars)	Contribution per caput (in US cents)
Norway .....	2,693,544	76.4	United Kingdom .....	21,660,150	41.7
New Zealand .....	1,220,946	52.4	Sweden .....	2,747,296	31.1
			Denmark .....	1,172,722	26.0
			Australia .....	1,919,247	19.5
			Netherlands .....	1,933,156	17.0
			Belgium .....	655,018	7.2
			Ireland .....	195,484	6.9

39. It will be understood that no figures can yet be given to show how these results will compare with those in countries still continuing their campaigns.

40. In terms of total additional cash raised during WRY by 30 September 1960, the major contributors were the United Kingdom with \$21,660,150 and the United States with \$18,125,996.<sup>12</sup> In order to obtain a

just view of national contributions to refugees, it is important to compare the figures representing a special WRY effort in aid of refugees and those which show the average annual contribution by the country concerned. The following list indicates this contribution in the case of some countries for which figures were made available.

Country	Average annual contribution before WRY (in US dollars)		
Canada .....	Approximately	2,500,000	(Government only)
Germany (Federal Republic of) ....	Approximately	818,000,000	(Government only)*
Hong Kong .....	Approximately	35,000,000	(Government only)
Netherlands .....	Approximately	172,000	(Government only)
New Zealand .....	Over	2,000,000	(Government and private)
Norway .....	Approximately	147,000	(Government only)
Sweden .....	Approximately	3,716,000	(Government and private)
Switzerland .....	Approximately	1,750,000	(Government and private)
United Kingdom .....	Approximately	7,280,000	(Government and private)
United States .....	Approximately	115,000,000	(Government and private including some \$25,000,000 worth of surplus food)

\* The greater part of this sum was spent for national refugees in Germany.

41. As will be seen, no figures are available from some of these countries to show the average annual amount of *private* contributions.

42. A remarkable feature of the WRY campaigns was the response in countries tried by several natural disasters which made other urgent demands on the generosity of the public and, in some cases, completely absorbed for a time the national charitable organizations and fund-raising machinery. Examples of such disasters which had an inevitable impact on the WRY campaign but did not prevent generous contributions to it are the Agadir earthquake in Morocco, the earthquake and floods in Chile and in the Republic of China and the catastrophe at Fréjus in France. Some economically less developed countries such as Pakistan, China and Viet-Nam also made contributions to relieve the sufferings of refugees elsewhere, despite the existence on their territory of severe refugee problems of their own.

43. Though not officially participating in WRY, the Spanish Government made a special grant equivalent to \$33,000 to aid in the transportation of refugees. Some private collections were also held in Spain and the Spanish Press carried sympathetic comments on WRY.

44. The case of Austria deserves special mention, as the Austrian authorities' announcement of their intention, as a result of WRY, to clear all refugee camps in that country will involve, not counting the substantial international assistance for this project, a total Austrian contribution of \$8,057,691. Representing as it does \$1.14 per head, this makes the largest *per caput* contribution by any country as a result of WRY. It should, however, be pointed out that the expenses of the Austrian camp clearance programme will be spread over a number of years.

#### *Special effort by the voluntary agencies*

45. The total figure of \$80 million mentioned above includes a sum of over \$5 million which was raised by the voluntary agencies represented in ICWRY, over and above their contribution to the various national committee funds. This sum is not included in the national committee figures.

<sup>12</sup> The United States campaign still continues.

46. The voluntary agencies played a very important role in many national committees, in addition to extensive fund raising on their own account. Although no firm figures are yet available of the total value of their contribution, it has been suggested that this amounts to two-thirds of the total sum raised during the WRY campaign. Among voluntary agencies which had never engaged in operational programmes for refugees, whereas other trade-union bodies chose to make their contribution through a national committee, the International Confederation of Free Trade Unions was moved by WRY to contribute \$50,000 to the Office of the United Nations High Commissioner for Refugees, requesting that half of this amount be devoted to the needs of refugees from Algeria; the Women's International League for Peace and Freedom collected \$30,000 for the purpose of building a Jane Addams House to accommodate thirty-two refugee families from a camp in Austria; and three national branches of the World Federation of United Nations Associations collected \$130,200, part of which will meet the expenses of work camps for volunteers to help refugees build their own homes. The Canadian Junior Red Cross realized more than its \$150,000 objective in pennies, nickels and dimes collected by pupils in over 43,000 elementary and high school classrooms. The World Association of Girl Guides and Girl Scouts reported that there must be few, if any, of their 25,260 units which had not taken part in or created a special effort to raise money. Up to 30 June 1960, reports on the money raised were available from only seven of the fifty-one member countries of the World Association and they showed a total of \$53,206. The Island of Aitutaki in the remote Cook Islands of the South Pacific raised \$45 for WRY, a notable contribution in view of the very limited contacts of this small island with the outside world.

47. The International Committee of the Red Cross and the League of Red Cross Societies were particularly hard pressed by an unprecedented series of natural and other calamities, as were other voluntary agencies co-operating in WRY, but they were nevertheless active on behalf of the Year and the League of Red Cross Societies continued throughout this period a large refugee programme which was originally intended to be only a short-term emergency project.

48. The voluntary agencies working for refugees since 1945 have collected annually in cash and kind upwards of \$100 million for their refugee programmes. The sums which will be spent by them on new refugee programmes as a result of WRY will of course be very considerably larger than the figure of \$5 million quoted above, as some agencies will receive funds from national committees, non-operational agencies and other sources.

49. Beneficiaries of programmes run by the voluntary agencies include national refugees in Austria, Germany, Italy, Greece, Pakistan and Viet-Nam who do not come within the mandate of either United Nations refugee organ. The agencies have always sought to assist, among others, those categories of refugees for whom no other form of international assistance is available. Finally, it must be stressed that the great majority of these new voluntary agency programmes launched as a result of WRY constitute new long-term commitments for the agencies which have undertaken them. The agencies have expressed the hope that the impetus given by WRY will enable them to find the support needed for these additional commitments by continued and increased contributions from governmental as well as private sources.<sup>13</sup>

(c) *To encourage additional opportunities for permanent refugee solutions by voluntary repatriation, resettlement and integration*

(i) *Voluntary repatriation*

50. Voluntary repatriation is one of the three permanent solutions which, in accordance with the policy of the High Commissioner's Office, a refugee should be free to choose. Throughout WRY, both the High Commissioner and the Special Representative of the Secretary-General laid stress on this solution in their speeches dealing with the refugee problem. During the calendar year 1959, the last for which figures are available, 3,022 refugees within the mandate of the High Commissioner were repatriated at their own request.

51. It sometimes happens that the repatriation of a refugee is held to constitute too high a charge for either his country of residence or country of origin, for private agencies or for the refugee himself. In such cases the Office of the High Commissioner may make appropriate arrangements to provide for the refugee's travel back to his country of origin.

52. In Asia, the Thai Government, acting in the spirit of WRY, took steps to accelerate the repatriation of refugees from North Viet-Nam who wished to return there. Under an agreement reached on 14 August 1959 between the Thai Red Cross Society and the Red Cross Society of the Democratic Republic of Viet-Nam, the two authorities concerned share all expenses of repatriating refugees who desire to return to the Democratic Republic of Viet-Nam. The operation started in January 1960 and is to be completed within thirteen months. Up to August 1960, 9,268 Viet-Namese had thus returned to the Democratic Republic of Viet-Nam.

(ii) *The impact of WRY on resettlement*

53. As already mentioned in this report, the Office of the High Commissioner has estimated that in all some

4,000 physically or socially handicapped refugees could be resettled through the new opportunities which Governments have made available as a contribution to WRY. If dependants are included, the total number who will eventually be resettled under these arrangements could be 7,000. It will be appreciated that this represents a very important percentage of the handicapped refugees still living under the High Commissioner's mandate in European camps and it is one of the most significant achievements of WRY. Nevertheless, the problem of handicapped refugees, particularly regarding those who live outside camps, still remains. It should also be understood that some time will elapse before it is possible for all handicapped refugees who will benefit by these new WRY measures to be actually resettled.

54. Specific resettlement opportunities are offered within the context of WRY by the Governments of Argentina, Australia, Belgium, Brazil, Canada, Colombia, France, Iceland, Luxembourg, Mexico, New Zealand, Norway, Sweden, Switzerland, the United Kingdom and the United States of America.<sup>14</sup> One of the most interesting developments observed during WRY was this growing willingness of a number of countries to increase resettlement opportunities for handicapped refugees. It was seen that a concerted attack involving new approaches and more liberal measures could contribute greatly to easing the refugee problem confronting the Office of the High Commissioner.

55. As WRY progressed, the success of some schemes for the admission of handicapped refugees encouraged other countries to open their doors in the same spirit. The Norwegian authorities announced that some 95 per cent of the tubercular refugees who had been admitted to that country before WRY had become healthy citizens earning their own livelihood or contributing to family groups doing so. Shortly before the opening of WRY, New Zealand was the first overseas country to accept handicapped refugees without sponsors. It was expected that these refugees would long remain a charge on the New Zealand social services, but the authorities announced that they had rapidly found their feet and that a few refugees had even taken so little time to begin making a contribution to the national economy. The Government of Canada approved a scheme, without precedent for overseas countries, for the admission under government sponsorship of refugee families each with a member suffering from active tuberculosis and later extended the scheme to cover families with more than one member suffering from tuberculosis.

56. Notable efforts were also made in this direction by the Governments of countries which themselves suffered severely by enemy occupation during the Second World War. These included Belgium, France and Norway. France was one example of a country which has never applied selection criteria to refugees and which could not therefore contribute to WRY by modifying such criteria. The French Government contributed in another way, namely, by admitting a greater number, including 250 non-rehabilitable refugees of European origin from the Far East, the cost of whose permanent care and maintenance will be borne by the French authorities and voluntary agencies.

57. Handicapped refugees were not, of course, alone in benefiting from these WRY measures. Australia and

<sup>13</sup> A provisional summary of projects which the voluntary agencies have adopted as a result of WRY is given in annex I. These new programmes will either complement the work of United Nations agencies or assist refugees not within their mandate.

<sup>14</sup> A description of these opportunities is given in the report of the Special Representative for WRY.

the United States were examples of countries which also admitted more non-handicapped refugees.

58. It should be noted that the number of resettlement schemes actually put into effect during WRY formed only part of the resettlement opportunities for the future offered by Governments during that period. Indeed, it was not until towards the end of WRY that a number of Governments, encouraged by the first successes achieved in the resettlement of handicapped refugees, began further to modify their policies and to liberalize their criteria. Such government action, although not directly a financial contribution to WRY, often involved the Governments concerned in expenditure connected with the medical treatment or rehabilitation of the handicapped refugees, and in some cases, as noted above, it will demand the spending of considerable sums over a period of years for the care and maintenance of aged or non-rehabilitable refugees.

59. Among other measures taken to liberalize immigration criteria as a result of WRY, some Governments have selected refugees without regard to nationality or to occupational classification and have also raised the age limits for refugees selected under labour programmes. Others have allowed refugees to be considered for resettlement without generally applying any qualifying period of residence in the country of first asylum. Certain Governments have approved schemes designed to relieve in particular the refugee problem in countries such as Italy and Greece which, because of the nature of their economies, shoulder a particularly heavy burden. A number of Governments have decided, for purposes of selection, that a family group be defined not only as including the husband and wife, sons and daughters, but also other relatives. Others have agreed to allow individuals and community groups as well as relatives and voluntary agencies to nominate refugees; this concession has also been extended to the handicapped.

#### *Gradual elimination of the concept of "unemigrable" refugees*

60. One of the most heartening and positive effects of World Refugee Year has been the developing tendency in government and community thinking to eliminate the concept that many refugees are "unemigrable". The reappraisal of basic immigration procedures and policies which has taken place in a number of countries, including the traditional immigration countries overseas, has resulted in a willingness to place less emphasis on the physical qualifications of each member of a family and more on the economic viability of the family as a whole. This evolution in thinking has helped to remove the dilemma that has confronted many refugee families in the past, i.e., either to emigrate leaving one member of a family behind or to reject a resettlement opportunity and remain together in the camp. It has also furthered the reunion of families already separated for such reasons, by allowing aged or sick refugees to rejoin relatives or friends already established abroad.

61. With regard to the problem of non-rehabilitable refugees who require institutional care, it is important to mention that countries of first asylum such as Belgium and France, which are already accepting many severely handicapped refugees, have made special efforts to accept their share of the problem through the establishment and extension of homes designed for this purpose. If this initiative could be followed by other Governments of goodwill, it would considerably ease the diffi-

culty of finding openings for non-rehabilitable refugees who desire resettlement as a solution.

#### *(iii) Integration*

62. The majority of refugees living in camps in Europe under the mandate of the High Commissioner will have their problem settled, not through leaving for another country but through being helped to become self-supporting in their country of first asylum. Moreover, WRY will make possible a similar solution for many refugees now living in very poor conditions outside camps in Europe. Integration will therefore play an extremely important part in the implementation of the resolution on WRY.

63. It is not possible at this stage to say precisely how many refugees will be integrated into the community as a result of the special WRY effort. Perhaps the most spectacular example under this heading would be the intention of Austria to close all refugee camps on its territory as a result of WRY—including, that is to say, not only the refugee camps within the mandate of the High Commissioner, but all others as well. It has been noted above that this project will involve a total expenditure for the Austrian Government and people of over \$8 million, in addition to substantial international help forthcoming as a result of WRY.

64. The example of Austria serves to illustrate an important point of which account should be taken when considering the special effort furnished by various countries and agencies to implement the resolution. By agreement with the Office of the High Commissioner, the countries of first asylum usually meet a certain percentage of the cost of programmes sponsored by the High Commissioner. As this is an element of considerable importance in the general picture of WRY efforts, the following list shows the estimated value of supporting contributions in round figures which those countries will be making towards programmes of the High Commissioner financed as a result of WRY.

Country	Supporting contributions to UNHCR programmes in terms of percentages	World Refugee Year contributions received by UNHCR during 1959-1960 (in US dollars)	Estimated value of supporting contributions
Austria .....	57	1,800,000	2,386,050
France .....	70	100,000	233,330
Germany (Federal Republic of) ..	68	3,200,000	6,800,000
Greece .....	45	900,000	736,360
Italy .....	68	240,000	510,000

65. Among Asian countries facing refugee problems, it is interesting to note that Pakistan was able to integrate 25,000 families, or roughly 125,000 persons, during World Refugee Year. Pakistan authorities point out, however, that this considerable achievement still leaves approximately 150,000 families awaiting rehabilitation facilities from the Government.

#### *(iv) Legal protection for refugees*

66. Although this item was not specifically mentioned in the General Assembly's resolution, the Office of the High Commissioner is deeply concerned with the general problem of legal protection for refugees and both the High Commissioner and the Special Representative of the Secretary-General suggested to Governments the possibility of their taking appropriate action in this sphere as one form of contribution to WRY.

67. During WRY three countries deposited with the Secretary-General their instruments of ratification of

the 1951 Convention relating to the Status of Refugees—Greece, New Zealand and Yugoslavia. Argentina, Brazil and Portugal approved ratification of the Convention. In other countries, including Bolivia, Chile, Colombia and Uruguay, action to accede to the Convention entered the parliamentary stage. Accession to the Convention was also under study in Costa Rica, Haiti, Mexico, Nicaragua, Panama, Paraguay and Peru.

68. The Convention establishes such minimum rights as the right of asylum, the right to work, the right to education, the right to social security and the right to freedom of religion.

69. During WRY, three more countries decided to apply the principles of The Hague Agreement relating to Refugee Seamen. Monaco ratified the Agreement on 11 April 1960, while Italy and the Federal Republic of Germany, pending ratification, put into practice some or all of the principles of the Agreement.

70. Progress was made during WRY in regard to the European Agreement on the Abolition of Visas for Refugees concluded under the auspices of the Council of Europe on 20 April 1959 and also in regard to certain measures taken by States members of the Council of Europe under a resolution of the Council to facilitate travel by refugees.

71. Bilateral and individual arrangements waiving the necessity for visas for refugees in the case of visits of three months or less had been made by a number of European countries and were on the point of being finalized by others during WRY.

72. During WRY, Laos acceded to the London Travel Document Agreement of 1946, thereby removing the difficulties that had arisen in connexion with certain stateless refugees.

73. The 1954 Convention relating to the Status of Stateless Persons<sup>15</sup> entered into force during WRY in Belgium, France and Luxembourg.

#### *Intergovernmental Committee for European Migration*

74. The Intergovernmental Committee for European Migration (ICEM) is specifically charged under its mandate with the migration of European refugees and is therefore available to undertake travel arrangements for those refugees who have been or will be resettled as a result of WRY. In all phases of its refugee work ICEM co-operates closely with the Office of the United Nations High Commissioner for Refugees.

75. During the World Refugee Year, 1 July 1959 to 30 June 1960, ICEM has transported 31,095 refugees, the great majority of whom were within the mandate of UNHCR. It is not possible to say precisely how many of these movements were due to World Refugee Year as such. However, under the projects for the resettlement of handicapped refugees specifically designated as WRY schemes, ICEM has moved 327 physically handicapped refugees with 762 others, including dependants, from Austria, Germany, Greece and Italy to other countries in Europe or overseas. Many of the movements of refugees undertaken after 30 June 1960 will also be attributable to the Year.

76. The Intergovernmental Committee for European Migration has made a number of appeals for funds for its refugee programme, in each of which it has drawn attention to the special necessity for funds to pay for

additional movements made possible by World Refugee Year.

77. The contributions that were received by ICEM in 1959, specifically allocated to refugee movements, amounted to \$31,741 for the programme for Refugee Migration from Europe, and \$330,511 for the Far East Programme. The 1960 contributions to ICEM, received as a direct result of the World Refugee Year, have amounted to over \$1 million.

#### *Council of Europe*

78. Several forms of action were taken by the Council of Europe as a contribution to WRY, and a number of recommendations concerning refugees were put forward by its Consultative Assembly. One of these recommendations (227/1960)<sup>16</sup> in favour of devoting surplus moneys in the Council of Europe's 1959 budget to the programme for WRY, reiterated the Council's belief that European countries should seize this opportunity of demonstrating their solidarity by associating themselves with the project and by a joint contribution to it. Another (228/1960)<sup>17</sup> recommended that the Committee of Ministers make strong representations to member Governments urging them to admit, apart from the quotas hitherto accepted, those Hungarian refugees in Austria who had expressed the wish to settle permanently in Europe and the same recommendation requested member Governments which had not yet ratified or acceded to the Agreement relating to Refugee Seamen to become parties to it.

79. At the third session of the Executive Committee of the High Commissioner's Programme, it was announced that the Committee of Ministers of the Council of Europe, in their desire to associate themselves through a collective and symbolic gesture with the action taken by the United Nations, had decided to make a contribution of 100,150 new French francs (\$20,408) for assistance to refugees.

80. Measures were also taken by the various member countries of the Council of Europe to facilitate travel by refugees.

81. The Council of Europe also took part in various promotional activities designed to stimulate wide-spread support for WRY and in particular to interest the school-children and youth of Europe in the problem of refugees.

#### *European Seminar on the Social and Economic Aspects of Refugee Integration*

82. As part of the Swedish Government's contribution to WRY, a seminar on the social and economic aspects of refugee integration was held at Sigtuna, Sweden, from 27 April to 7 May 1960 with fifty participants from fifteen countries. This programme was organized by the Technical Assistance Office of the United Nations in Geneva and the Government of Sweden, with the co-operation of UNHCR and the United Nations WRY secretariat.

#### *International civil servants participate in WRY effort*

83. The staff committees and associations of various organizations belonging to the United Nations family also expressed a wish to participate. In addition to contributions in cash, including the sacrifice by many United Nations staff members of a day's salary, other gifts in

<sup>15</sup> United Nations Conference on the Status of Stateless Persons, *Final Act and Convention relating to the Status of Stateless Persons* (United Nations publication, Sales No.: 56.XIV.1).

<sup>16</sup> Council of Europe, Consultative Assembly, eleventh ordinary session (third part), 18-22 January 1960, *Texts adopted by the Assembly*.

<sup>17</sup> *Ibid.*

kind were forthcoming and various services were rendered with the active help of staff members, such as the sale for several months in 1959 of refugee handicrafts from Europe, the Middle East and the Far East in the European headquarters of United Nations at Geneva; special concert tickets and first-day covers made available under the Stamp Plan organized by the Office of the High Commissioner were also sold in aid of refugee funds.

84. Participating in various ways were staff members of the United Nations itself both at New York Headquarters and at the European Office in Geneva, and also of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the International Labour Organisation, the General Agreement on Tariffs and Trade, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the International Monetary Fund, the International Telecommunication Union, the Inter-Governmental Maritime Consultative Organization and the United Nations Korean Reconstruction Agency.

85. As a result of these initiatives, it was estimated that the equivalent of more than \$25,000 was contributed by the staff at the United Nations European Office alone. At United Nations Headquarters in New York, in addition to money contributions, some 2,000 pieces of clothing were made available for refugees by personnel of the United Nations, while volunteers from among the staff and Permanent Missions came forward to give their services in connexion with the WRY exhibit organized by the United Nations Office of Public Information.

#### C. SUMMARY OF WRY ACHIEVEMENTS

86. The incomplete data set out above provide a general picture of some of the more easily assessable results of WRY, as they were known by 30 September 1960.

87. These results may be left to speak for themselves. The camp clearance programme of the High Commissioner in Europe can now be completely financed from available funds. The Far Eastern Operation has found a new impulse; for the first time an impressive international effort has been made on behalf of the Chinese refugees in Hong Kong. A growing financial assistance has been given to the refugees from Algeria. UNRWA is given a chance to extend its efforts with outside assistance in the field of vocational training and self-support grants.

88. For some categories of refugees, whose future did not depend on a political solution, World Refugee Year has brought something better than hope, the practical possibility of a new life. "I can now say that, thanks to World Refugee Year, the financing of camp clearance is now totally and completely assured", declared Dr. Auguste Lindt, the United Nations High Commissioner for Refugees in summing up the impact of WRY on his programmes at the fourth session of its Executive Committee in Geneva, and he added: "There is, as we know now, practically no 'hard core' in the camps in Europe".

89. If we look for other striking examples of results achieved, Austria may come again to mind. As a result of WRY, that country is to close all refugee camps on its territory, including those inhabited by refugees not within the mandate of the High Commissioner.

90. While Europe and America strove to reduce the problems of refugees in Europe, they also assisted refugees in the Middle East, North Africa and Asia. Nearly \$20 million contributed, pledged or raised will go to the refugees of Asia and Africa. And perhaps one of the outstanding characteristics of World Refugee Year is that even the economically less privileged countries of Asia and Africa, sometimes burdened with refugee problems of their own, made their modest, but generous, contribution to reduce the burdens of others. For example, the Republic of Viet-Nam decided to give the major portion of the funds raised there to the Office of the High Commissioner for Refugees in Europe and the Pakistan Government, despite its immense effort for refugees in its own territory, made funds available to help Europe, while the National Committee of China made a gift to the High Commissioner for Refugees.

91. A final point of importance is the fact that up to now only some \$14 million of the \$80 million raised have been directly contributed to the two United Nations organs concerned with refugees, UNHCR and UNRWA, and for the transportation of refugees in the mandate of the High Commissioner. A notable percentage of the rest will be devoted to refugees not in the United Nations mandate. Nevertheless, considerable funds raised during WRY with the devoted help of the voluntary agencies will remain at their disposal to be used for refugees who are within those mandates. It may be hoped that this situation will lead the agencies concerned to consider assuming a greater financial share in the essential programmes undertaken by the High Commissioner and UNRWA, thus enabling the two United Nations organizations to turn their attention to other pressing needs.

#### IV. Some conclusions

92. The vote by the General Assembly on 5 December 1958 of resolution 1285 (XIII), calling for a World Refugee Year brought great hopes to refugees throughout the world. For thousands of them a solution has or will be given to their plight, thanks to WRY. Some refugee problems will be completely solved. Many of the other refugees have seen an amelioration of their pitiful condition. Thanks to the goodwill of Governments and the understanding spirit of national committees, WRY has succeeded in remaining faithful to the purely humanitarian action expressed in the resolution voted by the General Assembly. While the success achieved by the Year was obviously due to the participating countries, its appeal was strengthened by the guarantee of high purpose and by the sense of international solidarity which United Nations sponsorship provided. That sponsorship has been for many people the first intimation of the constructive work which the United Nations carries on in the humanitarian field. It has been reported that this fact led to an increase in active membership of the United Nations Associations in a number of countries.

93. It was the General Assembly's resolution which enabled WRY to become a reality on a multi-national scale and it was also the United Nations which served as an indispensable co-ordinating element throughout the campaign. The methods and techniques used in this multi-national campaign may not be without their lessons for future initiatives which the United Nations may be called upon to sponsor. Those methods have enabled more than twenty countries or territories not

members of the United Nations or of its specialized agencies to participate in the spirit of the resolution.

94. On the official level, these facts were emphasized in speeches made by delegates to the fourth session of the Executive Committee of the High Commissioner's Programme meeting in Geneva in October 1960. In the discussion which took place on WRY, many speakers paid tribute to the true humanitarian spirit which the United Nations action had helped to create and maintain. Delegates also pointed out that this action had made it possible as never before to view the refugee problem in world-wide terms and to include in a broader understanding the sufferings and needs of refugees in Asia and Africa as well as those on the continent of Europe.

95. By associating itself with the national efforts and by being mentioned in connexion with all their multitudinous ramifications down to the local level, the United Nations was able to come particularly close to the people. More individuals have participated person-

ally in WRY than in any other initiative taken by the United Nations since its foundation. In millions of people it aroused what was for them a new sense of responsibility towards their fellow men and women. They made an imaginative effort to share in the problems of people who were strangers to them by race and often by religion. They did not hesitate to sacrifice their time, to give money they could often ill afford and to forego satisfactions for the sake of people whom they would never meet and from whom they could not expect personal thanks.

96. A practical experience of human solidarity such as WRY proved to be must imply some extension of the frontiers of fellowship. It is to be hoped that this growth of imaginative understanding will strengthen support for other humanitarian objectives of the Organization, and, not least, for the continuing needs of the refugees themselves. As I have had occasion to state before, WRY should be regarded not as the end of an effort but as the beginning.

## ANNEX A

### Countries and territories participating in World Refugee Year

Afghanistan	El Salvador	Kuwait	St. Lucia
*Argentina	Ethiopia	*Korea (Republic of)	San Marino
*Australia	Federation of Malaya	Laos	Saudi Arabia
*Austria	Fiji Islands	Lebanon	*Sierra Leone
Bahrein	*Finland	Liberia	Somalia
*Barbados	*France	Libya	Sudan
*Belgium	Gambia	Liechtenstein	Surinam
*Bermuda	*Ghana	*Luxembourg	*Sweden
Bolivia	*Germany (Federal Republic of)	*Malta	*Switzerland
*Brazil	*Greece	Mexico	Thailand
British Honduras	Guatemala	Monaco	Togo
Brunei (Borneo)	Guinea	Morocco	Tunisia
Burma	*Haiti	*Netherlands	*Turkey
Cambodia	Holy See	Netherlands New Guinea	*Uganda
Cameroun	Honduras	*New Zealand	*Union of South Africa
*Canada	*Hong Kong	Nicaragua	United Arab Republic
Ceylon	Iceland	*Norway	*United Kingdom of Great Britain and Northern Ireland
*Chile	Indonesia	*Pakistan	*United States of America
*China	*Iran	*Panama	*Uruguay
*Colombia	*Ireland	Paraguay	Venezuela
*Costa Rica	*Israel	Peru	*Viet-Nam (Republic of)
Cuba	*Italy	*Philippines	Yemen
*Denmark	Japan	*Portugal	Yugoslavia
Dominican Republic	Jordan	*Qatar	
*Ecuador		*Rhodesia and Nyasaland (Federation of)	

\* A committee for World Refugee Year has been established.

## ANNEX B

### Obligations incurred by the WRY secretariat during 1959 and 1960<sup>a</sup>

<i>Object of expenditure</i>	<i>Account obligated (in US dollars)</i>
Temporary assistance .....	30,900
Travel and subsistence of staff .....	17,100
Communications services .....	17,800
Motion picture and photographic supplies and services .....	9,500
Printing and internal reproduction supplies .....	10,700
Other supplies and services .....	7,100
Hospitality .....	900
	<hr/> 94,000

<sup>a</sup> 1960 obligations are estimated in cases where they had not been incurred at the time this table was prepared.

## ANNEX C

## List of voluntary agencies members of the International Committee for World Refugee Year (ICWRY)

- I. *Member organizations of ICWRY who are members of the Standing Conference of Voluntary Agencies Working for Refugees*
- Conference of Non-Governmental Organizations Interested in Migration;  
 Standing Conference of Voluntary Agencies Working for Refugees;  
 International Conference of Social Work;  
 Permanent Conference of Catholic International Organizations;  
 World Federation of United Nations Associations.  
 Adoption Committee for Aid to Displaced Persons;  
 Aide aux Israélites victimes de la guerre;  
 American Friends Service Committee;  
 American Fund for Czechoslovak Refugees, Inc.;  
 American Joint Distribution Committee;  
 Brethren Service Commission;  
 British Council for Aid to Refugees;  
 Centre d'orientation sociale des étrangers;  
 Centre de reclassement professionnel;  
 Comité de liaison des œuvres travaillant pour les réfugiés;  
 Comité inter-mouvements auprès des évacués (CIMADE);  
 Comité juif d'action sociale et de reconstruction;  
 Friends Service Council;  
 International Catholic Migration Commission;  
 International Conference of Catholic Charities;  
 International Labour Assistance;  
 International Relief Committee for Intellectual Workers;  
 International Rescue Committee;  
 International Social Service;  
 International Social Service—Swiss Branch;  
 Jami'at al Islam;  
 Jewish Agency for Israel;  
 Lutheran World Federation;  
 National Catholic Welfare Conference—Catholic Relief Services;  
 Œuvre de protection des enfants juifs;  
 Oostpriesterhulp;  
 Polish-American Immigration Relief Committee;  
 Secours international de Caritas Catholica;  
 Swiss Aid Abroad;  
 Swiss Central Office for Aid to Refugees;  
 Tolstoy Foundation, Inc.;  
 Unitarian Service Committee;  
 United HIAS Service;  
 United Lithuanian Relief Fund of America;  
 United Ukrainian American Relief Committee, Inc.;  
 World Alliance of YMCA's;  
 World Council of Churches;
- World ORT Union;  
 World OSE Union;  
 World University Service;  
 World YWCA.
- II. *Member organizations of ICWRY who are not members of the Standing Conference of Voluntary Agencies Working for Refugees*
- Association for the Study of the World Refugee Problem;  
 Central Coordinating Committee of Voluntary Agencies in the Middle East;  
 Commission of the Churches on International Affairs;  
 Council of Organizations for Relief Service Overseas, Inc. (CORSO);  
 Friends' World Committee for Consultation;  
 Humanitas, Inc.;  
 Norwegian Refugee Council;  
 Oxford Committee for Famine Relief;  
 Roumanian Relief Committee (CAROMAN);  
 The Salvation Army;  
 The South African National Committee for World Refugee Year;  
 World Veterans Federation.  
 International Committee of the Red Cross;  
 League of Red Cross Societies.  
 Entraide socialiste;  
 International Confederation of Christian Trade Unions;  
 International Confederation of Free Trade Unions;  
 International Young Christian Workers.  
 International Federation of Women Lawyers;  
 World Federation of Catholic Young Women;  
 World Union of Catholic Women's Organizations.  
 Children's Relief International;  
 International Catholic Child Bureau;  
 International Catholic Girls' Society;  
 International Union for Child Welfare;  
 World Association of Girl Guides and Girl Scouts.  
 Coordinating Secretariat of National Unions of Students;  
 World Assembly of Youth.  
 Catholic International Union for Social Service;  
 International Catholic Association for Radio and Television;  
 International Catholic Film Office;  
 Pax Romana;  
 World Union of the Catholic Press.  
 International Commission of Jurists;  
 World Jewish Congress.

## ANNEX D

## Countries and territories participating in the Joint UNHCR/UNRWA Stamp Plan

Afghanistan	Federation of Malaya	Lebanon	Portugal
Argentina	Finland	Liberia	Saudi Arabia
Austria	France	Libya	Somalia
Belgium	Germany (Federal Republic of)	Liechtenstein	Sudan
Bolivia	Greece	Luxembourg	Surinam
Brazil	Guatemala	Monaco	Sweden
Cameroun	Guinea	Morocco	Switzerland
Ceylon	Haiti	Netherlands	Thailand
Chile	Holy See	Netherlands New Guinea	Togo
China	Iceland	New Zealand	Tunisia
Colombia	Indonesia	Nicaragua	Turkey
Costa Rica	Iran	Norway	United Arab Republic
Denmark	Ireland	Pakistan	United States of America
Dominican Republic	Israel	Panama	Uruguay
Ecuador	Jordan	Paraguay	Viet-Nam (Republic of)
El Salvador	Korea (Republic of)	Peru	Yemen
Ethiopia	Laos	Philippines	

## ANNEX E (part I)

## Provisional table of WRY contributions by participating countries and territories as known on 30 September 1960

(In US dollars)

Country or Territory	Special financial contributions for World Refugee Year						
	Government*		National Committee and others		Totals		
	Cash	Kind	Cash	Kind	Cash	Kind	Total
Australia .....	336,021	15,125	1,568,100	—	1,904,121	15,125	1,919,246
Austria .....	7,846,153	—	211,538	—	8,057,691	—	8,057,691
Bahrain .....	28,366	—	420	—	28,786	—	28,786
Barbados .....	—	—	1,281	—	1,281	—	1,281
Belgium .....	—	—	655,018	—	655,018	—	655,018
Bermuda .....	2,800	—	27,510	—	30,310	—	30,310
Bolivia .....	—	—	980	—	980	—	980
Brazil .....	55,000	—	—	—	55,000	—	55,000
British Honduras .....	699	—	—	—	699	—	699
Brunei (Borneo) .....	10,000	—	—	—	10,000	—	10,000
Burma .....	2,092	—	262	—	2,354	—	2,354
Cambodia .....	572	—	—	—	572	—	572
Canada .....	600,000	1,020,000	1,834,931	—	2,434,931	1,020,000	3,454,931
Ceylon .....	1,000	—	—	—	1,000	—	1,000
Chile .....	8,520	—	—	—	8,520	—	8,520
China .....	12,500	—	218,600	—	231,100	—	231,100
Colombia .....	2,000	—	6,094	—	8,094	—	8,094
Costa Rica .....	—	—	—	120	—	120	120
Cuba .....	10,000	—	—	—	10,000	—	10,000
Denmark .....	376,429	—	796,293	—	1,172,722	—	1,172,722
Federation of Malaya .....	2,500	—	—	—	2,500	—	2,500
Finland .....	5,000	—	66,467	19,639	71,467	19,639	91,106
France .....	1,450,000	—	—	—	1,450,000	—	1,450,000
Gambia .....	30	—	—	—	30	—	30
Germany (Federal Republic of) ...	1,767,857	—	2,779,761	—	4,547,618	—	4,547,618
Ghana .....	3,000	—	2,861	—	5,861	—	5,861
Greece .....	5,000	—	5,000	—	10,000	—	10,000
Holy See .....	4,000	—	—	—	4,000	—	4,000
Hong Kong .....	—	—	143,970	—	143,970	—	143,970
Iran .....	—	—	38,929	—	38,929	—	38,929
Ireland .....	16,800	—	178,684	—	195,484	—	195,484
Israel .....	5,000	—	2,222	—	7,222	—	7,222
Italy .....	805,152	—	65,818	—	870,970	—	870,970
Japan .....	5,000	—	—	—	5,000	—	5,000
Kuwait .....	112,013	—	—	—	112,013	—	112,013
Liberia .....	3,000	—	—	—	3,000	—	3,000
Luxembourg .....	3,000	—	50,000	—	53,000	—	53,000
Malta .....	—	—	7,156	—	7,156	—	7,156
Mexico .....	20,000	—	—	—	20,000	—	20,000
Monaco .....	2,000	—	—	—	2,000	—	2,000
Morocco .....	—	80,000	—	—	—	80,000	80,000
Netherlands .....	183,157	—	1,749,999	—	1,933,156	—	1,933,156
New Zealand .....	196,023	—	705,685	319,238	901,708	319,238	1,220,946
Norway .....	419,991	—	2,105,557	167,996	2,525,548	167,996	2,693,544
Pakistan .....	3,150	—	—	—	3,150	—	3,150
Panama .....	—	—	200	—	200	—	200
Philippines .....	—	—	28,221	137	28,221	137	28,358
Portugal .....	—	—	8,635	—	8,635	—	8,635
Qatar .....	84,010	—	—	—	84,010	—	84,010
Rhodesia and Nyasaland .....	—	—	30,308	—	30,308	—	30,308
Sierra Leone .....	700	—	—	—	700	—	700
Sweden .....	166,988	—	2,155,598	424,710	2,322,586	424,710	2,747,296
Switzerland .....	440,092	—	955,303	—	1,395,395	—	1,395,395
Thailand .....	—	6,250	—	—	—	6,250	6,250
Tunisia .....	—	700,000	—	—	—	700,000	700,000
Turkey .....	15,000	—	41,670	—	56,670	—	56,670
Uganda .....	7,280	—	235	369	7,515	369	7,884
Union of South Africa .....	41,200	—	—	—	41,200	—	41,200
United Arab Republic .....	—	—	—	465,000	—	465,000	465,000
United Kingdom of Great Britain and Northern Ireland .....	1,120,134	—	15,493,713	5,046,303	16,613,847	5,046,303	21,660,150

## ANNEX E (part I) (continued)

## Provisional table of WRY contributions by participating countries and territories as known on 30 September 1960

(in US dollars)

Country or Territory	Special financial contributions for World Refugee Year						
	Government <sup>a</sup>		National Committee and others		Totals		
	Cash	Kind	Cash	Kind	Cash	Kind	Total
United States of America .....	5,049,375	—	13,076,621	—	18,125,996	—	18,125,996
Viet-Nam (Republic of) .....	5,000	—	60,000	—	65,000	—	65,000
Yugoslavia .....	—	165,000	—	18,900	—	183,900	183,900
TOTAL, cash	21,233,604		45,073,640		66,307,244		
TOTAL, kind		1,986,375		6,462,413		8,448,788	
GRAND TOTAL	23,219,979		51,536,053		74,756,032		74,756,032

<sup>a</sup> Paid, pledged, or promised subject to parliamentary approval.

## Provisional table of WRY allocations by participating

(In US

Country or Territory	Refugees within mandate of UNHCR							
	Current UNHCR programmes and other programmes		Transport of refugees operations <sup>a</sup>		Refugees from Algeria in Tunisia and Morocco		Refugees within mandate of UNRWA	
	Cash	Kind	Cash	Kind	Cash	Kind	Cash	Kind
Australia .....	752,173	—	67,204	15,125	22,401	—	60,484	—
Austria .....	1,230,769	—	—	—	—	—	—	—
Bahrain .....	210	—	—	—	28,576	—	—	—
Barbados .....	—	—	—	—	—	—	—	—
Belgium .....	413,040	—	20,000	—	—	—	—	—
Bermuda .....	—	—	—	—	—	—	—	—
Bolivia .....	490	—	—	—	—	—	—	—
Brazil .....	30,000	—	—	—	—	—	25,000	—
British Honduras .....	—	—	699	—	—	—	—	—
Brunei (Borneo) .....	—	—	—	—	—	—	—	—
Burma .....	1,177	—	—	—	—	—	1,177	—
Cambodia .....	286	—	—	—	—	—	286	—
Canada .....	1,388,878	—	8,000	—	—	—	126,606	1,020,000
Ceylon .....	1,000	—	—	—	—	—	—	—
Chile .....	8,520	—	—	—	—	—	—	—
China .....	75,000	—	—	—	—	—	—	—
Colombia .....	—	—	2,000	—	—	—	—	—
Costa Rica .....	—	120	—	—	—	—	—	—
Cuba .....	5,000	—	—	—	—	—	5,000	—
Denmark .....	728,101	36,195	14,478	—	—	—	—	—
Federation of Malaya .....	1,000	—	—	—	—	—	1,500	—
Finland .....	59,208	47	—	—	8,493	19,639	—	—
France .....	1,450,000	—	—	—	—	—	—	—
Gambia .....	—	—	—	—	—	—	30	—
Germany (Federal Republic of) ..	106,428	—	—	—	375,310	—	304,761	—
Ghana .....	2,861	—	—	—	3,000	—	—	—
Greece .....	—	—	—	—	2,500	—	2,500	—
Holy See .....	1,000	—	1,000	—	1,000	—	1,000	—
Hong Kong .....	—	—	—	—	—	—	—	—
Iran .....	11,929	—	—	—	9,000	—	9,000	—
Ireland .....	117,484	—	—	—	50,000	—	28,000	—
Israel .....	—	—	5,000	—	—	—	—	—
Italy .....	209,340	—	—	—	—	—	—	—
Japan .....	2,500	—	—	—	—	—	2,500	—
Kuwait .....	—	—	—	—	112,013	—	—	—
Liberia .....	1,500	—	—	—	—	—	1,500	—
Luxembourg .....	—	—	3,000	—	—	—	—	—
Malta .....	—	—	—	—	—	—	—	—
Mexico .....	20,000	—	—	—	—	—	—	—
Monaco .....	2,000	—	—	—	—	—	—	—
Morocco .....	—	—	—	—	—	80,000	—	—
Netherlands .....	863,421	—	46,052	—	578,947	—	89,473	—
New Zealand .....	276,535	—	56,006	—	—	—	119,014	—
Norway .....	829,483	167,996	69,998	—	139,997	—	69,998	—
Pakistan .....	1,050	—	—	—	—	—	1,050	—
Panama .....	100	—	—	—	—	—	100	—
Philippines .....	—	—	—	—	8,594	—	8,594	—
Portugal .....	—	—	—	—	—	—	—	—
Qatar .....	—	—	—	—	84,010	—	—	—
Rhodesia and Nyasaland .....	—	—	—	—	—	—	—	—
Sierra Leone .....	—	—	—	—	—	—	—	—
Sweden .....	28,956	—	22,586	—	—	—	—	38,610
Switzerland .....	828,627	—	36,866	—	410,955	—	115	—
Thailand .....	—	3,125	—	—	—	—	—	3,125
Tunisia .....	—	—	—	—	—	700,000	—	—
Turkey .....	—	—	—	—	—	—	—	—
Uganda .....	—	—	—	—	—	—	6,395	—
Union of South Africa .....	11,500	—	29,700	—	—	—	—	—
United Arab Republic .....	—	—	—	—	—	465,000	—	—
United Kingdom of Great Britain and Northern Ireland .....	8,801,680	515,709	84,010	—	760,305	242,276	1,899,546	4,045,959
United States of America .....	2,341,000	—	730,000	—	978,375	—	—	—
Viet-Nam (Republic of) .....	2,500	—	—	—	—	—	2,500	—
Yugoslavia .....	—	—	—	—	—	183,900	—	—
	20,604,746	723,192	1,196,599	15,125	3,573,476	1,690,815	2,766,129	5,107,694
	21,327,938 <sup>b</sup>		1,211,724		5,264,291 <sup>c</sup>		7,873,823 <sup>d</sup>	

<sup>a</sup> Mainly through ICEM.<sup>b</sup> Of which \$8,058,875 directly to UNHCR.<sup>c</sup> Of which \$2,707,079 directly to UNHCR.

## (part II)

## countries and territories as known at 30 September 1960

dollars)

<i>Chinese refugees in Hong Kong</i>		<i>Other refugees</i>		<i>Unallocated</i>		<i>Totals</i>		<i>Total</i>
<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>	
224,014	—	477,666	—	300,179	—	1,904,121	15,125	1,919,246
—	—	6,538,461	—	288,461	—	8,057,691	—	8,057,691
—	—	—	—	—	—	28,786	—	28,786
—	—	—	—	1,281	—	1,281	—	1,281
—	—	221,978	—	—	—	655,018	—	655,018
30,310	—	—	—	—	—	30,310	—	30,310
—	—	—	—	490	—	980	—	980
—	—	—	—	—	—	55,000	—	55,000
—	—	—	—	—	—	699	—	699
—	—	—	—	10,000	—	10,000	—	10,000
—	—	—	—	—	—	2,354	—	2,354
—	—	—	—	—	—	572	—	572
46,000	—	749,883	—	115,564	—	2,434,931	1,020,000	3,454,931
—	—	—	—	—	—	1,000	—	1,000
—	—	—	—	—	—	8,520	—	8,520
120,000	—	36,100	—	—	—	231,100	—	231,100
—	—	—	—	6,094	—	8,094	—	8,094
—	—	—	—	—	—	—	120	120
—	—	—	—	—	—	10,000	—	10,000
—	—	14,478	—	379,470	—	1,136,527	36,195	1,172,722
—	—	—	—	—	—	2,500	—	2,500
—	—	1,986	—	1,733	—	71,420	19,686	91,106
—	—	—	—	—	—	1,450,000	—	1,450,000
—	—	—	—	—	—	30	—	30
499,047	—	2,513,093	—	748,979	—	4,547,618	—	4,547,618
—	—	—	—	—	—	5,861	—	5,861
—	—	—	—	5,000	—	10,000	—	10,000
—	—	—	—	—	—	4,000	—	4,000
131,697	—	—	—	12,273	—	143,970	—	143,970
9,000	—	—	—	—	—	38,929	—	38,929
—	—	—	—	—	—	195,484	—	195,484
—	—	—	—	2,222	—	7,222	—	7,222
—	—	661,630	—	—	—	870,970	—	870,970
—	—	—	—	—	—	5,000	—	5,000
—	—	—	—	—	—	112,013	—	112,013
—	—	—	—	—	—	3,000	—	3,000
—	—	—	—	50,000	—	53,000	—	53,000
2,016	—	2,699	—	2,441	—	7,156	—	7,156
—	—	—	—	—	—	20,000	—	20,000
—	—	—	—	—	—	2,000	—	2,000
—	—	—	—	—	—	—	80,000	80,000
59,210	—	190,789	—	105,264	—	1,933,156	—	1,933,156
106,412	—	56,006	—	—	606,973	613,973	606,973	1,220,946
223,995	—	216,995	—	975,082	—	2,525,548	167,996	2,693,544
—	—	1,050	—	—	—	3,150	—	3,150
—	—	—	—	—	—	200	—	200
10,937	—	—	—	96	137	28,221	137	28,358
—	—	—	—	8,635	—	8,635	—	8,635
—	—	—	—	—	—	84,010	—	84,010
—	—	—	—	30,308	—	30,308	—	30,308
—	—	—	—	700	—	700	—	700
176,641	—	2,094,403	386,100	—	—	2,322,586	424,710	2,747,296
—	—	49,707	—	69,125	—	1,395,395	—	1,395,395
—	—	—	—	—	—	—	6,250	6,250
—	—	—	—	—	—	—	700,000	700,000
—	—	—	—	56,670	—	56,670	—	56,670
—	—	1,120	369	—	—	7,515	369	7,884
—	—	—	—	—	—	41,200	—	41,200
—	—	—	—	—	—	—	465,000	465,000
1,768,406	73,389	476,729	276,446	2,710,696	—	16,501,372	5,158,779	21,660,151
1,000,000	—	—	—	13,076,621	—	18,125,996	—	18,125,996
—	—	—	—	60,000	—	65,000	—	65,000
—	—	—	—	—	—	—	183,900	183,900
4,407,685	78,389	14,304,773	662,915	19,017,384	607,110	65,870,792	8,885,240	74,756,032
4,486,074	—	14,967,688	—	19,624,494	—	74,756,032*	—	74,756,032

\* Of which \$2,271,851 directly to UNRWA.

\* Of which approximately 89 per cent in cash, 11 per cent in kind.

## ANNEX F

## Provisional summary of special financial contributions for World Refugee Year by participating countries and territories as known at 30 September 1960

(In US dollars)

## A. SOURCES OF CONTRIBUTIONS

<i>Governments</i>		<i>National committees and others</i>		<i>Total</i>	
<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>
21,233,604	1,986,375	45,073,640	6,462,413	66,307,244	8,448,788
23,219,979		51,536,053		74,756,032 <sup>a,b</sup>	

## B. ALLOCATION OF THESE CONTRIBUTIONS

<i>Refugees within mandate of UNHCR</i>						<i>Refugees from Algeria</i>		<i>Refugees within mandate of UNRWA</i>		<i>Chinese refugees in Hong Kong</i>		<i>Other refugees</i>		<i>Unallocated</i>		<i>Totals</i>	
<i>Current UNHCR programmes</i>		<i>Other programmes or not yet determined</i>		<i>Transportation operations</i>		<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>
<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>	<i>Cash</i>	<i>Kind</i>												
8,058,875	—	12,545,871	723,192	1,196,599	15,125	3,573,476	1,690,815	2,766,129	5,107,694	4,407,685	78,389	14,304,773	662,915	19,017,384	607,110	65,870,792	8,885,240
8,058,875		13,269,063		1,211,724		5,264,291		7,873,823		4,486,074		14,967,688		19,624,494		74,756,032	

<sup>a</sup> Approximately 89 per cent in cash, 11 per cent in kind.<sup>b</sup> An additional \$5 million is reported by ICWRY as specially raised in connexion with WRY by its member organizations over and above this total.

## ANNEX G

## World Refugee Year contributions received by UNHCR up to 30 September 1960

(In US dollars)

Contributor		UNHCR programmes	Refugees from Algeria in Tunisia and Morocco	Other programmes	Total
Australia	{ Government	112,000			112,000
	{ Committee	579,645		56,000	635,645
Bahrain	Government		32,203		32,203
Brazil	Government	30,000			30,000
Burma	Government	1,050			1,050
Cambodia	Government	286			286
Canada	Committee	625,000			625,000
Ceylon	Government	1,000			1,000
Chile	Government	8,520			8,520
China	Government			5,000	5,000
Cuba	Government	5,000			5,000
Denmark	{ Government	347,474			347,474
	{ Committee	98,100	36,195	82,200	216,495
Federation of Malaya	Government	1,000			1,000
Ghana	Government		3,000		3,000
Greece	Government		2,500	2,500	5,000
Holy See		1,000	1,000	1,000	3,000
Iran	Committee	11,929	9,000	9,000	29,929
Ireland	Committee	117,484	50,000		167,484
Israel	Government			5,000	5,000
Italy	Government			209,340	209,340
Japan	Government	2,500			2,500
Kuwait	Government		112,000		112,000
Liberia	Government	1,500			1,500
Malta	{ Government	461			461
	{ Others	784			784
Mexico	Government	20,000			20,000
Monaco	Government	2,041			2,041
Netherlands	{ Committee	361,191		50,149	411,340
	{ VPRO		578,945		578,945
New Zealand	{ Government	28,000			28,000
	{ Committee	163,600		56,005	219,605
Norway	Committee	241,723	223,518	542,343	1,007,584
Pakistan	Government	1,050			1,050
Sweden	{ Government	28,997			28,997
	{ Swedish Red Cross	9,665			9,665
Switzerland	{ Government	172,811			172,811
	{ Committee	94,796			94,796
	{ Others	20,621			20,621
Thailand	Government	3,125			3,125
Union of South Africa	Government	11,500		11,500	23,000
United Kingdom of Great Britain and Northern Ireland	{ Government	224,000			224,000
	{ Committee	3,333,240	436,641	629,048	4,398,929
	{ Others	104,146		1,700	105,846
United States of America	Government	1,200,000	1,023,421	120,000	2,343,421
Viet-Nam	Government	2,500			2,500
Yugoslavia	Government		165,000		165,000
Council of Europe		10,220		10,220	20,440
Free Trade Unions (Brussels)		25,000	25,000		50,000
Soroptimist European Association		3,917			3,917
Soroptimist International Association		15,985			15,985
United Nations Headquarters (Staff)		2,522			2,522
Women's International League for Peace		22,856			22,856
Others		10,636	8,656	280	19,572
	TOTAL	8,058,875	2,707,079	1,791,285 <sup>a</sup>	12,557,239

<sup>a</sup> Breakdown: Special projects for refugees within the mandate of UNHCR, 647,038; to be determined, 304,260; transport of refugees through ICEM, 16,500; Chinese refugees in Hong Kong, 293,949; other refugees, 529,538.

## ANNEX H

## World Refugee Year Contributions received by UNRWA up to 30 September 1960

(In US dollars)

Contributor	Not specified	New vocational training centres	Individual grants and loans	Courses in sewing and carpentry	Rehabilitation of handicapped children	Total
Burma .....	1,050	—	—	—	—	1,050
Cambodia .....	286	—	—	—	—	286
Canada .....	1,020,000	—	—	—	—	1,020,000
Cuba .....	5,000	—	—	—	—	5,000
Federation of Malaya .....	1,500	—	—	—	—	1,500
Gambia .....	30	—	—	—	—	30
Greece .....	2,500	—	—	—	—	2,500
Holy See .....	1,000	—	—	—	—	1,000
Iran .....	9,000	—	—	—	—	9,000
Japan .....	2,500	—	—	—	—	2,500
Liberia .....	1,500	—	—	—	—	1,500
Netherlands Committee .....	—	—	—	—	15,076	15,076
New Zealand .....	28,000	—	—	—	—	28,000
New Zealand (Corso) .....	—	—	—	30,892	—	30,892
Pakistan .....	1,050	—	—	—	—	1,050
Thailand .....	3,125	—	—	—	—	3,125
United Kingdom of Great Britain and Northern Ireland .....	—	140,000	84,000	—	—	224,000
United Kingdom of Great Britain and Northern Ireland (National Committee) .....	—	655,200	259,000	—	—	914,200
United Kingdom of Great Britain and Northern Ireland (others) .....	840	—	—	—	—	840
Viet-Nam .....	2,500	—	—	—	—	2,500
United Nations Headquarters Staff .....	3,238	—	—	—	—	3,238
United Nations European Office Staff .....	467	—	—	—	—	467
United Nations Korean Reconstruction Agency Staff .....	305	—	—	—	—	305
Sundry donors .....	3,792	—	—	—	—	3,792
<b>TOTAL</b>	<b>1,087,683</b>	<b>795,200</b>	<b>343,000</b>	<b>30,892</b>	<b>15,076</b>	<b>2,271,851</b>

## ANNEX I

## Provisional summary of projects adopted by the voluntary agencies as a result of World Refugee Year

## 1. Refugees under the mandate of UNHCR

(a) *Non-settled refugees in Europe.* Eleven voluntary agencies report special WRY projects for this group of refugees with a total value of \$7,753,434. Most of these projects are designed to assist the integration of refugees by such means as housing grants, small loans, vocational training, placement in employment, counselling or other services. Some cater for the needs of specific nationalities or religious communities among the refugees, others for specific categories of refugees such as old people, emotionally disturbed youth, students or intellectuals. One agency has an additional project, valued at \$130,000, to bring similar assistance to needy European refugees in the Middle East. Three agencies report special projects, valued at \$475,000, for assistance in resettlement overseas by such means as visa procurement services, travel assistance and establishment grants or loans.

(b) *European refugees in China.* One agency has a special programme for the resettlement of these refugees, valued at \$300,000.

(c) *Refugees from Algeria in Tunisia and Morocco.* The needs of this group have for several years been the special concern of the League of Red Cross Societies, which has continued its important services throughout the Year at the same level as its emergency effort in 1958. The League is also the operational arm of the Office of UNHCR in North Africa. The needs of this group are essentially of an emergency nature—food, clothing, blankets, shelter—and have met with a ready

response from a number of voluntary agencies. At least one of these agencies, which is responsible for more than half of this total, will be continuing on a long-term basis what was initiated as a special WRY effort.

(d) *Chinese refugees in Hong Kong.* Seven agencies report projects valued at just over \$1 million for this group. These cover a very wide range of activities from the installation of noodle units to assistance with the adoption in Great Britain of Chinese refugee orphans. In many cases, assistance will be given to the establishment or the expansion of institutions such as schools, hospitals, vocational training centres and day nurseries.

## 2. Refugees in the care of UNRWA

As with the previous group, seven agencies have reported special WRY projects to a value of a little over \$1 million. The emphasis is strongly on vocational training and the provision of improved recreational facilities. One agency, for example, is establishing a training centre where youth leaders selected in refugee camps are to be instructed in the organization of recreational activities. The voluntary agencies will continue to meet the clothing needs of this group of refugees.

## 3. Other refugees

Though the national refugees in Austria, Germany, Italy and Greece are not named as the sole beneficiaries of any voluntary agency programme, they are to share in the benefits of several of the projects for non-settled refugees in Europe. Two agencies announce projects for aid to refugees in Israel, one of them aiming at closing the transit camps where some refugee immigrants to Israel are still housed. Two agencies announce projects of a total value of \$1,715,383, designed to assist the

Pakistan Government in its refugee resettlement programme, for example, by providing schools and community centres in the new satellite towns and by promoting development in rural areas. One agency announced a project valued at \$62,770 for the Chinese refugees in Macao to include the provision of milk distribution centres, a day nursery and a noodle unit. An important project, valued at \$1,489,417, is to assist in completing the resettlement of refugees in Viet-Nam and will encourage development of virgin land as well as providing medical services and housing. Still other groups of refugees which have not been the subject of WRY literature issued by the United Na-

tions Secretariat are to receive help from voluntary agency sources. Among them are the Tibetan refugees in India and Nepal for whom three agencies announce special projects; refugees in Korea to whose needs one agency is to devote \$328,000; refugee students from Algeria in Europe for whom one agency has already spent \$70,000; and special categories of refugees in the Middle East to whose resettlement one agency proposes to devote \$100,000. Refugees from North Africa require vocational training and other forms of assistance to enable them to resettle overseas, and these needs have inspired special WRY projects by two agencies.

## DOCUMENT A/4582

### Report of the Third Committee

[Original text: English]  
[19 November 1960]

1. The General Assembly, at its 881st plenary meeting on 1 October 1960, allocated item 33 of the agenda of its fifteenth session (Assistance to refugees) to the Third Committee.

2. The Committee considered part (a) of this item, "Report of the United Nations High Commissioner for Refugees" (A/4378/Rev.1 and A/4378/Rev.1/Add.1), and chapter V, section IV, of the report of the Economic and Social Council (A/4415) at its 999th to 1004th meetings, held between 24 and 27 October 1960.

3. The Committee considered sub-item (b), "Report of the Secretary-General on the World Refugee Year" (A/4546), at its 1004th to 1006th meetings, held on 27, 28 and 31 October 1960.

#### I. ITEM 33 (a) REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

4. At the invitation of the Committee, the High Commissioner made an introductory statement (999th meeting). He stated that progress had been made in providing international protection for refugees. During the year, three more countries, Greece, New Zealand and Yugoslavia, had ratified or acceded to the 1951 Convention relating to the Status of Refugees,<sup>18</sup> and four more, Argentina, Brazil, Portugal and Turkey, were about to do so, thus bringing the number of parties to the Convention up to twenty-nine. The Office of the United Nations High Commissioner for Refugees (UNHCR) had also been successful in stimulating the inclusion of provisions favourable to refugees in other international treaties and in national laws and regulations, and in endeavours to ensure that decisions on refugee status followed a constant and humanitarian pattern.

5. Progress had been made with regard to the indemnification of refugees under the mandate of his Office who, by reason of their nationality, had suffered persecution under the German National-Socialist régime. On 5 October 1960 an agreement on this matter had been concluded between the Office of the High Commissioner and the Federal Republic of Germany.

6. The High Commissioner reported that the number of refugees requiring protection tended to diminish more slowly than the number of non-settled refugees. In Europe alone, 870,000 refugees still required protection in 1960.

7. The High Commissioner referred to the acute problems presented by more than 200,000 refugees from Algeria living in Morocco and Tunisia, and paid tribute to the Governments of those two countries and to the League of Red Cross Societies for their endeavours to assist these refugees. Unfortunately, the Executive Committee of the League had, as recently as 7 October 1960, decided that its participation in the joint operation should terminate on 30 June 1961, with the proviso that it could be extended if no satisfactory alternative arrangements had been completed by that time. The High Commissioner expressed the hope that the League would see its way to extend its participation in the joint operation. His Office felt bound by General Assembly resolution 1389 (XIV) of 20 November 1959 to continue the relief operation as long as the need existed.

8. The High Commissioner further reported that programmes which his Office had started in 1955 had drawn substantial matching contributions from national funds. In 1955, there had been 252,000 non-settled refugees in Europe, living both in and outside camps, but there would be no more than 75,000 by the end of 1960, even though 238,000 new refugees had arrived during the five-year period. From 1958, efforts to evacuate all refugees under his mandate from official camps had been intensified. By the end of 1960, the camp population should fall to 13,800. By the beginning of 1961, there would be no refugees in camps in Greece. There should be none in Austria and Italy by the end of 1961, but it would take some time longer to clear the camps in Germany. The required sum of over \$3 million had been provided, thanks to World Refugee Year.

9. The problem of non-settled refugees living outside camps in Europe had assumed manageable proportions. Their number had dropped from 167,000 in 1955 to 61,000 at present. The High Commissioner was deeply grateful to the voluntary agencies for their assistance and their co-operation in dealing with this matter. The programmes for non-settled refugees living outside camps in Europe, including Turkey, concentrated on clearly defined objectives. In countries with fully developed economies the programme was limited to handicapped refugees. In States less satisfactorily placed economically, UNHCR engaged in comprehen-

<sup>18</sup> United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, held at Geneva, Switzerland, from 2 to 25 July 1951, *Final Act and Convention relating to the Status of Refugees* (United Nations publication, Sales No.: 51.IV.4).

sive country clearance programmes which should provide a complete solution for a given country within two or three years if the necessary funds were forthcoming.

10. Provided there was no influx of refugees, solution of the problem of the non-settled refugees under the UNHCR mandate in Europe was in sight. Several factors contribute to this. Repatriation had been encouraged, integration had been facilitated by economic developments in many European countries, and emigration of handicapped refugees had been facilitated by developments in medicine and in other fields. The High Commissioner referred to the special contribution made by the Governments of the Scandinavian countries and of Australia, Canada and New Zealand, which had accepted significant numbers of handicapped refugees, and by several Governments which had liberalized their immigration regulations.

11. The High Commissioner also referred to the programme for refugees of European origin living in the Far East. His Office co-operated there closely with the Intergovernmental Committee for European Migration (ICEM).

12. Although the legal protection of his Office could apply only to refugees under the mandate of UNHCR, the High Commissioner was authorized to use his good offices to assist Chinese refugees in Hong Kong and other refugees not coming within his mandate by such means as channelling funds or opening resettlement opportunities.

13. At the 1000th and 1003rd meetings, the High Commissioner made additional statements in reply to questions put by the representative of Saudi Arabia. Referring to repatriation procedures, he stated, *inter alia*, that a person seeking repatriation should contact the diplomatic representative of his country of origin, but if this was not possible the Office of the High Commissioner would make the necessary arrangements. Where the person concerned, voluntary agencies and the Government of the country of origin were all unable to defray the travelling expenses, UNHCR was empowered to grant assistance from a special fund. The High Commissioner also stated that all refugees who were found to fulfil the necessary conditions laid down in the Statute of his Office (General Assembly resolution 428 (V), annex) were entitled to legal protection under the mandate of his Office without distinction of nationality, race or religion.

#### GENERAL DEBATE

14. Many delegations commended the High Commissioner for his energetic leadership and expressed satisfaction with the progress made during the year in carrying out refugee programmes, particularly the camp clearance programme. Special reference was made to the valuable work performed by voluntary agencies in helping refugees to acquire training in skills and languages, as well as in providing relief. It was pointed out that the International Labour Organisation would consider at its next conference the question of equality of treatment of nationals and non-nationals in social security, a matter of great concern to refugees.

15. Some delegations pointed out that refugee problems and the right of asylum were closely linked, and that the international community should lighten the burden of countries giving asylum. It was stated that the adoption of the draft Declaration on the Right of

Asylum<sup>19</sup> could constitute a further step towards the promotion of a common international viewpoint. Several delegations emphasized that World Refugee Year had greatly benefited refugees and that the intensified action taken by Governments and by non-governmental organizations under that campaign had eased the task of the High Commissioner's Office.

16. Other delegations expressed the view that refugee problems might remain unsolved as long as the High Commissioner concentrated on resettlement and, furthermore, that it was inappropriate for the High Commissioner's Office to have the duty of providing legal protection for refugees, a task which should be the responsibility of the Governments of the countries in which the refugees were living. These delegations also suggested that the time had come to consider abolishing the High Commissioner's Office since it had almost completed its work.

17. Some delegations drew attention to the question of Chinese refugees in Hong Kong. Reference was made to General Assembly resolution 1167 (XII) of 26 November 1957 and it was suggested that a larger programme of assistance was now required to ensure the effectiveness of the work already undertaken. Similar views were expressed concerning assistance to other groups of refugees who did not come within the immediate competence of UNHCR.

18. Several delegations referred to the situation of refugees from Algeria in Morocco and Tunisia and expressed gratification that, as a result of the generosity of the Moroccan and Tunisian Governments, and the assistance provided by other Governments, the High Commissioner and various voluntary agencies, the condition of these refugees was being steadily improved.

#### DRAFT RESOLUTION ON THE REPORT OF THE HIGH COMMISSIONER

19. At the 1003rd meeting, Brazil, Ceylon, Colombia, Denmark, the Federation of Malaya, Ghana, Greece, Italy, the Netherlands, New Zealand and Togo submitted a draft resolution on the report of the High Commissioner (/AC.3/L.864), the operative paragraph of which read as follows:

*"The General Assembly,*

*"...*

*"Invites States Members of the United Nations and members of the specialized agencies to continue to devote attention to refugee problems still awaiting solution:*

*"(a) By continuing to improve the legal status of refugees living in their territory, in consultation, where needed, with the United Nations High Commissioner for Refugees;*

*"(b) By further increasing facilities for the voluntary repatriation, resettlement and integration of refugees;*

*"(c) By enabling the High Commissioner to reach the financial targets both of his current 1961 programmes as well as of the other programmes entrusted to his Office;*

*"(d) By continuing to consult with the High Commissioner in respect of measures of assistance to*

<sup>19</sup> See *Official Records of the Economic and Social Council, Thirtieth Session, Supplement No. 8*, para. 147.

groups of refugees who do not come within the competence of the United Nations."

20. The sponsors of the draft resolution urged further improvement of the legal status of refugees. It was pointed out that the magnitude of the problems still remaining made it essential for the financial requirements of the High Commissioner's programmes to be fully met. The target of \$6 million for 1961 was only half reached, and an additional \$2.8 million would be needed in cash for refugee work in Morocco and Tunisia. The last clause of the draft resolution reflected the increasing interest of Governments and non-governmental organizations in giving practical assistance to refugees outside the High Commissioner's mandate.

21. Some delegations expressed regret that the possibility of discontinuing the activities of the High Commissioner's Office was not referred to in the draft resolution and that only favourable aspects of the High Commissioner's work were mentioned.

22. The Committee, at its 1004th meeting, adopted the eleven-Power draft resolution (A/C.3/L.864) by 65 votes to none, with 12 abstentions (see paragraph 63, draft resolution I, below).

#### DRAFT RESOLUTION ON REFUGEES FROM ALGERIA IN MOROCCO AND TUNISIA

23. At the 1002nd meeting, Libya, Morocco and Tunisia submitted a draft resolution (A/C.3/L.861). It read:

*"The General Assembly,*

*"Having examined* chapter IV of the report of the United Nations High Commissioner for Refugees,

*"Recalling* General Assembly resolution 1389 (XIV),

*"Considering* the action taken by the High Commissioner and the encouraging results achieved during World Refugee Year,

*"Noting with appreciation* the progress made on behalf of refugees from Algeria in Morocco and Tunisia,

*"Observing with regret* that no solution has been found to the problem which is the cause of this situation, which is therefore likely to continue,

*"Recognizing* that the living conditions of these refugees and, in particular, those of the children remain precarious and require constant improvement,

*"Recommends* that the United Nations High Commissioner for Refugees should:

*"(a) Continue* his present action;

*"(b) Use* his influence to ensure the continuation of the operation carried out jointly by the Office of the United Nations High Commissioner for Refugees and the League of Red Cross Societies, and, should this prove impossible, draw up and execute a programme for the assumption by the Office of the High Commissioner of complete responsibility for these refugees from 1 July 1961."

Afghanistan became a co-sponsor of this draft resolution.

24. Subsequently, the sponsors presented a revised text (A/C.3/L.861/Rev.111 and Corr.1), in which the fifth preambular paragraph was revised to read:

*"Regretting* that the situation which is the cause of this problem continues."

The operative paragraph remained the same, except for the deletion, in sub-paragraph (b), of the word "complete" before the word "responsibility".

25. It was stated in support of the four-Power draft resolution that the Moroccan and Tunisian Governments had made a great effort to help the refugees, but that their resources were limited. Increased international co-operation was required because one half of the refugees from Algeria were children who needed food, adequate health care and an opportunity to continue their education. The hope was expressed that the League of Red Cross Societies would be able to continue its activities for as long as they were needed.

26. Other delegations stressed the strictly social and humanitarian character of the draft resolution and appealed to the Third Committee to show its interest in alleviating the misery of these refugees by adopting the text unanimously.

27. The representative of France recalled his Government's position on the problem and stated that France claimed the right to provide all necessary assistance for the refugees from Algeria who under the pressure of events had been obliged to leave their homes. Being anxious, however, that humanitarian considerations should come before legal considerations, it had made three payments, each of NF 1,250,000, to the High Commissioner's Office.

28. The representative of the Secretary-General stated that the additional activities contemplated under the four-Power revised draft resolution (A/C.3/L.861/Rev.1 and Corr.1) could, if the draft resolution were adopted, lead to operational expenses which would be met from the High Commissioner's voluntary funds. The adoption of the draft resolution would have no financial implications for the normal United Nations budget.

29. The four-Power revised draft resolution (A/C.3/L.861/Rev.1 and Corr.1) was adopted at the 1004th meeting by a roll-call vote of 76 to none, with 1 abstention. The voting was as follows:

*In favour:* Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* none.

*Abstaining:* France.

(See paragraph 63, draft resolution II, below.)

DRAFT RESOLUTION EXPRESSING APPRECIATION TO THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

30. At the 1002nd meeting, Argentina, Australia, Canada, Denmark, Greece, Italy, the Netherlands, New Zealand, Pakistan, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America submitted a draft resolution (A/C.3/L.860), which read as follows:

*"The General Assembly,*

*"Noting with regret that the United Nations High Commissioner for Refugees will shortly leave office,*

*"Considering that remarkable and encouraging progress has been made during his years in office in solving many of the problems of refugees, both under his mandate and through use of his good offices,*

*"Confident that these achievements will lead to further improvement of the refugee situation under the Office of the High Commissioner,*

*"1. Expresses its thanks and admiration for Dr. Auguste Lindt's brilliant and important work during his years as High Commissioner for Refugees;*

*"2. Extends its good wishes for equally great success in all his future undertakings."*

The sponsors subsequently orally revised operative paragraph 1 to read as follows:

*"Expresses its thanks to Dr. Auguste Lindt and its admiration for the brilliant and important work he has performed during his years as High Commissioner for Refugees."*

31. An appeal was made for all delegations to pay tribute to Dr. Lindt, during whose term of office great progress had been made towards a solution of the refugee problem. The High Commissioner, it was said, had always adopted a humanitarian approach and, in spite of the limited resources at his disposal, had been able to establish priorities for practical solutions for each problem according to its particular needs.

32. The thirteen-Power draft resolution (A/C.3/L.860), as orally revised, was adopted at the 1004th meeting without a vote (see paragraph 63, draft resolution III, below).

## II. ITEM 33 (b) REPORT OF THE SECRETARY-GENERAL ON THE WORLD REFUGEE YEAR

33. At the 1004th meeting, the Secretary-General introduced his report (A/4546). He stressed that the Year, which had been instituted under General Assembly resolution 1285 (XIII) of 5 December 1958, consisted, first and foremost, of a series of national efforts. The endeavours of one year could not solve all the problems relating to refugees; the information contained in the report before the Committee was not final because some countries had decided to continue the campaigns organized in connexion with World Refugee Year.

34. Ninety-seven countries and territories, representing a large part of the world, had taken part in the campaign. Thirty-nine national committees had been established in the participating countries, often under the patronage of the Head of State. Seventy-four of the most important non-governmental organizations had established an International Committee for World Refugee Year (ICWRY). One particularly outstanding fact was that all religious faiths had united in supporting that

humanitarian undertaking. In all the participating countries World Refugee Year had been given far more publicity than refugee questions had previously enjoyed, and henceforward these problems would be more widely understood by international opinion.

35. The Secretary-General stated that, according to reports received up to 30 September 1960, the total sum raised in World Refugee Year or pledged subject to legislative approval, in addition to the regular annual contributions of Governments and voluntary agencies, was more than \$US80 million. Of that sum, more than \$23 million came from Governments and some \$57 million from the public. Since 30 September, campaigns in Austria, Belgium, Canada, France and Switzerland had raised an additional \$3 million, and the sale of stamps and first day covers under the Stamp Plan sponsored jointly by UNHCR and UNRWA was expected to bring in a sum in the neighbourhood of \$1 million.

36. By 20 October 1960, the sum of \$22,673,646 had been contributed, pledged or raised on behalf of refugees within the mandate of the High Commissioner for Refugees, not counting refugees from Algeria in Tunisia and Morocco.

37. Of that sum, more than \$8 million had been handed directly to the High Commissioner to finance the special World Refugee Year programme on behalf of refugees within his mandate. The amount available would fully finance the High Commissioner's camp clearance programme in Europe, permitting integration within their countries of first asylum or resettlement elsewhere of the 32,000 refugees within the High Commissioner's mandate still living in European camps. In addition, a considerable number of refugees in Europe within the mandate of UNHCR living outside camps would be helped towards integration or resettlement with the assistance of supplementary World Refugee Year funds.

38. The \$22,673,646 referred to (see para. 36 above) included a sum of \$1,210,724 exclusively for refugee transportation, mainly by ICEM, and \$13,404,047 for other programmes also benefiting refugees within the High Commissioner's mandate, but in most cases not administered by him.

39. Particularly encouraging results had been obtained in connexion with the resettlement of refugees who were handicapped or difficult to resettle. The High Commissioner estimated that, thanks to the liberalization of immigration criteria by various countries during World Refugee Year, some 4,000 handicapped refugees and their dependants, making about 7,000 persons in all, would be resettled outside their countries of first asylum—as compared with 4,665 handicapped refugees and their families resettled in the seven years 1952-1958.

40. Appeals on behalf of the refugees from Algeria in Tunisia and Morocco had produced contributions amounting to \$5,360,122, of which more than \$2.7 million had been directed to the High Commissioner's Office.

41. The sum of \$4,514,694 had been contributed or pledged, up to 20 October 1960, on behalf of Chinese refugees in Hong Kong. Of that sum, approximately \$2.5 million would go towards the Hong Kong Government's goal for its World Refugee Year projects.

42. Up to 20 October 1960, \$7,875,967 had been contributed or pledged for the Arab refugees from

Palestine within the mandate of the United Nations Relief and Works Agency. Of that sum, more than \$2 million had been contributed or pledged for Agency programmes, and the Agency had received promises of a further \$1 million in contributions towards the \$4 million minimum target set by the Director of UNRWA at the beginning of World Refugee Year for the special programme.

43. Other refugees—including refugees in Europe not within the mandate of the High Commissioner and various groups of refugees in Asia—would benefit to the extent of \$17,914,112 raised for them so far.

44. Of the total of \$83 million, more than \$20 million appeared to be still unallocated to any specific programme. It was stressed that only \$14 million had been directly allocated to the two United Nations agencies dealing with refugees—the High Commissioner's Office and UNRWA—or used to finance the transportation of refugees within the mandate of the High Commissioner.

45. Finally, with regard to voluntary repatriation, more than 3,000 refugees within the mandate of the High Commissioner had been repatriated at their own request.

46. All the above figures showed that the high hopes centred on World Refugee Year had not been misplaced. A notable feature was the universality of the programmes: economically less privileged countries had also contributed generously to reduce the burdens of others. A number of organizations especially set up for World Refugee Year had decided to continue their work on behalf of refugees permanently.

47. The High Commissioner for Refugees referred to the statement he had made at the Committee's 999th meeting and again expressed his gratitude to all those who had participated in the World Refugee Year, which enabled his Office to make considerable progress in bringing refugee problems nearer to a solution.

48. The Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East stressed the complexity of the problems entrusted to UNRWA and pointed out that by its action the Agency not only alleviated the suffering of the refugees but also contributed to the stability of that entire part of the world. He was very grateful for the assistance given to UNRWA by Governments, national committees, voluntary agencies and private individuals and he expressed the hope that the efforts made during the campaign might continue.

49. Many delegations informed the Committee of their contributions in connexion with World Refugee Year and others reported on practical steps which they had taken or intended to take in order to receive refugees in their countries. Appreciation was expressed to the Secretary-General, his Special Representative and his staff for their assistance. Tribute was also paid to the Government of the United Kingdom of Great Britain and Northern Ireland, to which credit for having launched the idea of the Year was due.

#### DRAFT RESOLUTION ON WORLD REFUGEE YEAR

50. At the 1004th meeting, Afghanistan, Argentina, Australia, Canada, France, Iran, Italy, Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America submitted a draft

resolution on World Refugee Year (A/C.3/L.863), which read as follows:

*"The General Assembly,*

*"Recalling its resolutions 1285 (XIII) and 1390 (XIV) on the World Refugee Year,*

*"Having considered the report of the Secretary-General on the World Refugee Year (A/4546),*

*"Noting with gratification the remarkable success of the World Refugee Year in many parts of the world, not only financially but also in promoting the ultimate settlement of large numbers of refugees, particularly those who are handicapped,*

*"Noting further that the World Refugee Year has focused the attention of world opinion on the problems of refugees everywhere and on the need for sustained and increased efforts for their ultimate solution,*

*"Believing that the enthusiasm and interest aroused by the World Refugee Year can, if maintained, make a vital contribution to this end,*

*"1. Expresses its thanks to the many Governments, national committees, non-governmental organizations and private individuals who have contributed to the success of the World Refugee Year, as well as to the Secretary-General and his Special Representative for their efforts in this regard;*

*"2. Urges States Members of the United Nations and members of the specialized agencies and international non-governmental organizations to continue their efforts to assist refugees on a purely humanitarian basis, especially by:*

*"(a) Increased co-operation with the United Nations programmes working towards solutions of the problems of refugees;*

*"(b) Efforts to maintain the public interest in the solution of refugee problems aroused by the World Refugee Year;*

*"(c) The encouragement of additional opportunities for permanent refugee solutions through voluntary repatriation, resettlement or integration in accordance with the freely expressed wishes of the refugees themselves;*

*"(d) The further encouragement of financial contributions for international assistance to refugees including contributions from non-governmental organizations and the general public."*

51. The sponsors of the draft resolution emphasized that, although much progress had been achieved as a result of World Refugee Year, world opinion should be kept continuously aware of the plight of millions of people who were without homes and often without hope. To achieve a final solution of all refugee problems, the work already begun should be continued.

52. Taking into account suggestions made by the representative of Saudi Arabia, the sponsors of the draft resolution submitted a revised text (A/C.3/L.863/Rev.1). Pakistan became a co-sponsor of this revised text. In that text, the third paragraph of the preamble quoted above (para. 50) was revised to read:

*"Noting with gratification the remarkable success of World Refugee Year in many parts of the world, not only financially but also in promoting solutions of problems relating to large numbers of refugees, particularly those who are handicapped".*

They also revised sub-paragraph (a) of operative paragraph 2 to read:

“(a) Increased co-operation with the programmes of the United Nations High Commissioner for Refugees and the United Nations Relief and Works Agency for Palestine Refugees in the Near East”.

53. The representative of Saudi Arabia, while grateful to the sponsors for having stressed the universal character of World Refugee Year by using the words “world opinion” and “refugees everywhere” in the fourth preambular paragraph, pointed out that the operative part of the revised draft resolution (A/C.3/L.863/Rev.1) did not correspond to that sentiment because it referred only to the States Members of the United Nations and members of the specialized agencies whereas many States Members which were not members of either had taken part in World Refugee Year. He further felt that States should be “invited” rather than “urged” and suggested replacement of the words “*Urges* States Members of the United Nations and members of the specialized agencies and” in operative paragraph 2 by the words “*Invites* all States and . . .”.

54. On behalf of the sponsors of the draft resolution (A/C.3/L.863/Rev.1), it was stated that the suggestion to refer to all States instead of to States Members of the United Nations and members of the specialized agencies was not acceptable; the fact that States which were not members of the United Nations or of a specialized agency had made a substantial contribution to World Refugee Year was duly recognized in operative paragraph 1 of the resolution.

55. The representative of Saudi Arabia did not think it was sufficient to express thanks to the “many Governments . . . [which] have contributed to the success of the World Refugee Year”. He therefore suggested that a new paragraph should be added to the preamble to read:

“*Noting* that many governments, including those of States not Members of the United Nations or members of the specialized agencies, have contributed to the funds of the World Refugee Year”.

He also suggested that a third paragraph should be added to the operative part, to read:

“*Appeals* to all peoples [everywhere] to consider contributing to the assistance of refugees [everywhere]”.

56. He stated that, in a spirit of compromise, his delegation had refrained from addressing the appeal contained in that paragraph to States, and left the sponsors to insert the word “everywhere” at the place they wished, either after the word “peoples” or after the word “refugees”. He told the Committee that the General Assembly had often in the past—for example, at its fourth, fifth and sixth sessions—addressed appeals to all peoples or all nations.

57. In reply, the authors of the draft resolution hoped that they might satisfy the Saudi Arabian delegation by replacing in operative paragraph 1 the words “to the many” by the words “to all”, and by replacing in operative paragraph 2 the word “*Urges*” by the word “*Requests*”. They did not think it necessary to add a third operative paragraph.

58. The representative of Saudi Arabia accepted the sponsors’ suggestions with regard to operative paragraph 1 but stated that he could not relinquish his de-

mand that the draft resolution should be universal in character.

59. To take into account the interest of the representative of Saudi Arabia in the universality of the draft, the representative of the United Kingdom—one of the co-sponsors—suggested insertion of the word “everywhere” after the words “public interest” in sub-paragraph (b), and also after the words “general public” at the end of sub-paragraph (d) of operative paragraph 2. The representative of Saudi Arabia said he could accept the United Kingdom proposal on the understanding, confirmed by the representative of the United Kingdom, that word “everywhere” signified “everywhere in the world”.

60. At the 1006th meeting, the sponsors of the eleven-Power draft resolution presented a further revised version of their draft resolution (A/C.3/L.863/Rev.2). This draft, while taking into account some of the suggestions made by the representative of Saudi Arabia, did not contain the word “everywhere” in sub-paragraphs (b) and (d) of operative paragraph 2. The second revised text of the draft resolution read as follows:

“*The General Assembly,*

“*Recalling* its resolutions 1285 (XIII) and 1390 (XIV) on the World Refugee Year,

“*Having considered* the report of the Secretary-General on the World Refugee Year (A/4546),

“*Noting with gratification* the remarkable success of the World Refugee Year in many parts of the world, not only financially but also in promoting solutions of problems relating to large numbers of refugees, particularly those who are handicapped,

“*Noting further* that the World Refugee Year has focused the attention of world opinion on the problems of refugees everywhere and on the need for sustained and increased efforts for their ultimate solution,

“*Believing* that the enthusiasm and interest aroused by World Refugee Year can, if maintained, make a vital contribution to this end,

“1. *Expresses its thanks* to all Governments, national committees, non-governmental organizations and private individuals who have contributed to the success of the World Refugee Year, as well as to the Secretary-General and his Special Representative for their efforts in this regard;

“2. *Requests* States Members of the United Nations and members of the specialized agencies and international non-governmental organizations to continue their efforts to assist refugees on a purely humanitarian basis, especially by:

“(a) Increased co-operation with the programmes of the United Nations High Commissioner for Refugees and the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

“(b) Efforts to maintain the public interest aroused by the World Refugee Year in the solution of refugee problems;

“(c) The encouragement of additional opportunities for permanent refugee solutions through voluntary repatriation, resettlement or integration in accordance with the freely expressed wishes of the refugees themselves;

“(d) The further encouragement of financial contributions for international assistance to refugees in-

cluding contributions from non-governmental organizations and the general public."

Wishing to give full satisfaction to the Saudi Arabian representative, the sponsors later decided to delete from the fourth preambular paragraph the words "everywhere and on the need for sustained and increased efforts for their ultimate solution", and to add a third operative paragraph, the text of which appears below:

"3. *Expresses the hope* that all people will take into consideration the problems of refugees and the need for sustained and increased efforts for the ultimate solution of these problems."

61. The representative of Saudi Arabia expressed his agreement with the text thus revised but suggested a further change, namely that, in order to meet the desire for universality, the English text of the draft resolution should use the words "all peoples" instead of "all people". This was not acceptable to the sponsors, on behalf of whom it was stated that in English the word "peoples" had the connotation of "nations" and in using the singular form "people" the sponsors had intended to stress the contribution which individuals had made to the World Refugee Year. The sponsors agreed, however, to add the word "everywhere" after the words "all people" in operative paragraph 3 and they submitted a revised version of the text as follows:

"*Expresses the hope* that all people everywhere will take into consideration the problems of refugees and the need for sustained and increased efforts for their ultimate solution."

62. At the 1006th meeting, the eleven-Power draft resolution (A/C.3/L.863/Rev.2), as amended, was

adopted by 64 votes to none, with 12 abstentions (see paragraph 63, draft resolution IV, below).

### **Recommendations of the Third Committee**

63. The Third Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

#### **I**

#### **REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES**

[*Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

#### **II**

#### **REFUGEES FROM ALGERIA IN MOROCCO AND TUNISIA**

[*Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

#### **III**

#### **EXPRESSION OF APPRECIATION TO THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES**

[*Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

#### **IV**

#### **WORLD REFUGEE YEAR**

[*Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

### **ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 935th plenary meeting, on 5 December 1960, the General Assembly adopted draft resolutions I, II, III and IV submitted by the Third Committee (A/4582, para. 63). For the final texts, see resolutions 1499 (XV), 1500 (XV), 1501 (XV) and 1502 (XV), respectively, below.

#### **Resolutions adopted by the General Assembly**

1499 (XV). **REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES**

*The General Assembly,*

*Having considered* the report of the United Nations High Commissioner for Refugees (A/4378/Rev.1 and A/4378/Rev.1/Add.1),

*Noting* the recent favourable developments in the work of the Office of the High Commissioner in respect of international protection as well as of the promotion of permanent solutions, including voluntary repatriation, resettlement to other countries and integration in the present countries of asylum,

*Noting in particular* that, pursuant to its resolutions 1167 (XII) of 26 November 1957 and 1388 (XIV) of 20 November 1959, increasing attention is being paid in many countries, by Governments and by non-governmental organizations, to the problems of refugees who do not come within the immediate competence of the United Nations,

*Further noting* that none the less there still are considerable numbers of non-settled refugees, whose prob-

lems can be solved only by a further concentration of the efforts of the international community,

*Invites* States Members of the United Nations and members of the specialized agencies to continue to devote attention to refugee problems still awaiting solution:

(a) By continuing to improve the legal status of refugees living in their territory, in consultation, where needed, with the United Nations High Commissioner for Refugees;

(b) By further increasing facilities for the voluntary repatriation, resettlement and integration of refugees;

(c) By enabling the High Commissioner to reach the financial targets both of his current 1961 programmes and of the other programmes entrusted to his Office;

(d) By continuing to consult with the High Commissioner in respect of measures of assistance to groups of refugees who do not come within the competence of the United Nations.

*935th plenary meeting,  
5 December 1960.*

## 1500 (XV). REFUGEES FROM ALGERIA IN MOROCCO AND TUNISIA

*The General Assembly,*

*Having examined* chapter IV of the report of the United Nations High Commissioner for Refugees (A/4378/Rev.1),

*Recalling* its resolution 1389 (XIV) of 20 November 1959,

*Considering* the action taken by the High Commissioner and the encouraging results achieved during World Refugee Year,

*Noting with appreciation* the progress made on behalf of refugees from Algeria in Morocco and Tunisia,

*Regretting* that the situation which is the cause of this problem continues,

*Recognizing* that the living conditions of these refugees, and in particular those of the children, remain precarious and require constant improvement,

*Recommends* that the United Nations High Commissioner for Refugees should:

- (a) Continue his present action;
- (b) Use his influence to ensure the continuation of the operation carried out jointly by the Office of the United Nations High Commissioner for Refugees and the League of Red Cross Societies, and, should this prove impossible, draw up and execute a programme for the assumption by the Office of the High Commissioner of responsibility for these refugees from 1 July 1961.

*935th plenary meeting,  
5 December 1960.*

## 1501 (XV). EXPRESSION OF APPRECIATION TO THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

*The General Assembly,*

*Noting with regret* that the United Nations High Commissioner for Refugees will shortly leave office,

*Considering* that remarkable and encouraging progress has been made during his years in office in solving many of the problems of refugees, both under his mandate and through the use of his good offices,

*Confident* that these achievements will lead to further improvement of the refugee situation under the Office of the High Commissioner,

1. *Expresses its thanks* to Mr. Auguste Lindt and its admiration for the brilliant and important work he has performed during his years as United Nations High Commissioner for Refugees;

2. *Extends its good wishes* to Mr. Lindt for equally great success in all his future undertakings.

*935th plenary meeting,  
5 December 1960.*

## 1502 (XV). WORLD REFUGEE YEAR

*The General Assembly,*

*Recalling* its resolutions 1285 (XIII) of 5 December 1958 and 1390 (XIV) of 20 November 1959 on the World Refugee Year,

*Having considered* the report of the Secretary-General on the World Refugee Year (A/4546),

*Noting with gratification* the remarkable success of the World Refugee Year in many parts of the world, not only financially but also in promoting solutions of problems relating to large numbers of refugees, particularly those who are handicapped,

*Noting further* that the World Refugee Year has focused the attention of world opinion on the problems of refugees,

*Believing* that the enthusiasm and interest aroused by the World Refugee Year can, if maintained, make a vital contribution to this end,

1. *Expresses its thanks* to all Governments, national committees, non-governmental organizations and private individuals who have contributed to the success of the World Refugee Year, as well as to the Secretary-General and his Special Representative for the World Refugee Year, for their efforts in this regard;

2. *Requests* States Members of the United Nations and members of the specialized agencies, as well as international non-governmental organizations, to continue their efforts to assist refugees on a purely humanitarian basis, especially by:

(a) Increased co-operation with the programmes of the United Nations High Commissioner for Refugees and the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

(b) Efforts to maintain the public interest aroused by the World Refugee Year in the solution of refugee problems;

(c) The encouragement of additional opportunities for permanent refugee solutions through voluntary repatriation, resettlement or integration in accordance with the freely expressed wishes of the refugees themselves;

(d) The further encouragement of financial contributions for international assistance to refugees, including contributions from non-governmental organizations and the general public;

3. *Expresses the hope* that all people everywhere will take into consideration the problems of refugees and the need for sustained and increased efforts for their ultimate solution.

*935th plenary meeting,  
5 December 1960.*

## CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 33 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4378/Rev.1	Report of the United Nations High Commissioner for Refugees	<i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 11</i>
A/4378/Rev.1/Add.1	Addendum to the Report of the United Nations High Commissioner for Refugees	<i>Ibid., Supplement No. 11 A</i>
A/4415	Report of the Economic and Social Council (1 August 1959-5 August 1960)	<i>Ibid., Supplement No. 3</i>
A/C.3/L.860	Argentina, Australia, Canada, Denmark, Greece, Italy, Netherlands, New Zealand, Pakistan, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	See A/4582, para. 30
A/C.3/L.861	Libya, Morocco and Tunisia: draft resolution	See A/4582, para. 23
A/C.3/L.861/Rev.1 and Rev.1/Corr.1	Afghanistan, Libya, Morocco and Tunisia: revised draft resolution	Adopted without change. See A/4582, para. 69, draft resolution II
A/C.3/L.863	Afghanistan, Argentina, Australia, Canada, France, Iran, Italy, Norway, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	See A/4582, para. 50
A/C.3/L.863/Rev.1	Afghanistan, Argentina, Australia, Canada, France, Iran, Italy, Norway, Pakistan, United Kingdom of Great Britain and Northern Ireland and United States of America: revised draft resolution	See A/4582, paras. 50 and 52
A/C.3/L.863/Rev.2	Afghanistan, Argentina, Australia, Canada, France, Iran, Italy, Norway, Pakistan, United Kingdom of Great Britain and Northern Ireland and United States of America: revised draft resolution	See A/4582, para. 60
A/C.3/L.864	Brazil, Ceylon, Colombia, Denmark, Federation of Malaya, Ghana, Greece, Italy, Netherlands, New Zealand and Togo: draft resolution	Adopted without change. See A/4582, para. 63, draft resolution I



**Agenda item 34: Draft International Covenants on Human Rights\***

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Third Committee, 1007th to 1028th meetings*; and *ibid., Plenary Meetings, 943rd meeting*.

**DOCUMENT A/4397**

**Note by the Secretary-General**

[Original text: English]  
[8 July 1960]

1. At its 852nd plenary meeting on 10 December 1959, the General Assembly decided—by its resolution 1458 (XIV)—to give priority, at its fifteenth session, to the consideration of the draft International Covenants on Human Rights and to request the Third Committee at that session to devote as many meetings as possible to the discussion of the item.

2. The consideration of the draft Covenants was begun at the ninth session of the General Assembly and continued at each subsequent session. So far the Third Committee has adopted: the preamble and article 1 of each Covenant; articles 6 to 16 of the Covenant on Economic, Social and Cultural Rights; and articles 6 to 14 of the Covenant on Civil and Political Rights. The texts of the provisions adopted by the Third Committee are reproduced in documents A/3077, A/3525, A/3764 and Add.1, A/4045 and A/4299.<sup>1</sup>

3. In accordance with the programme which it adopted at its eleventh session, the Third Committee, after completing the substantive articles of the draft Covenant on Civil and Political Rights, would take up the general provisions (part II of each Covenant), the measures of implementation (parts IV and V of the Covenant on Civil and Political Rights and part IV of the Covenant on Economic, Social and Cultural Rights), and the final clauses (part VI of the Covenant on Civil and Political Rights and part V of the Covenant on Economic, Social and Cultural Rights).

<sup>1</sup> See, respectively, *Official Records of the General Assembly, Tenth Session, Annexes*, agenda item 28; *ibid., Eleventh Session, Annexes*, agenda item 31; *ibid., Twelfth Session, Annexes*, agenda item 33; *ibid., Thirteenth Session, Annexes*, agenda item 32; *ibid., Fourteenth Session, Annexes*, agenda item 34.

4. The original text of the draft Covenants and proposals relating thereto are contained in the report of the tenth session of the Commission on Human Rights.<sup>2</sup>

5. An annotation of the text of the draft Covenants, prepared by the Secretary-General pursuant to resolution 833 (IX) of the General Assembly, was published in document A/2929.<sup>3</sup> The observations of Governments and of specialized agencies on the draft Covenants submitted in response to the same resolution of the General Assembly were contained in documents A/2910 and Add.1-6.<sup>4</sup> A compilation of amendments and proposed new articles appeared in document A/C.3/L.460.<sup>5</sup>

6. At the fourteenth session, the following amendments to articles 15, 16 and 17 of the draft Covenant on Civil and Political Rights were submitted, but not discussed, as the Third Committee was unable to proceed to the consideration of those articles:

*Article 15*

*Argentina (A/C.3/L.806):\*\**

(1) Replace the first sentence of paragraph 1 by the following:

“1. No one may be held guilty of any criminal offence on account of any act or omission which, at

<sup>2</sup> *Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 7 (E/2573), annexes I, II and III.*

<sup>3</sup> *Official Records of the General Assembly, Tenth Session, Annexes*, agenda item 28 (part II).

<sup>4</sup> *Ibid.* (part I).

<sup>5</sup> *Ibid.*

\*\* Replaced at the fifteenth session by document A/C.3/L.865.

the time when it was committed, did not constitute a criminal offence under the applicable law.”

(2) Delete paragraph 2.

*Netherlands (A/C.3/L.798):\*\*\**

In paragraph 2, replace the words “the general principles of law recognized by the community of nations”, by the words “the general principles of law recognized by civilized nations”.

*United Kingdom of Great Britain and Northern Ireland (A/C.3/L.793):†*

Substitute for the last sentence of paragraph 1 the following:

“If the maximum penalty under the law in force at the time when the sentence is passed is less than was provided by the law in force at the time when the offence was committed, the offender shall benefit thereby.”

#### Article 16

*United Kingdom of Great Britain and Northern Ireland (A/C.3/L.794):††*

Delete the word “everywhere”.

#### Article 17

*Argentina (A/C.3/L.807):††*

Delete paragraph 2.

*Denmark (A/C.3/L.785):††*

Replace the present text of the article by the following:

“(1) Everyone has the right to respect for his private and family life, his home and his correspondence.

“(2) There shall be no interference by a public authority with the exercise of his right except such

\*\*\* Withdrawn at the fifteenth session (1007th meeting of the Third Committee).

† Replaced at the fifteenth session by document A/C.3/L.870.

†† Withdrawn at the fifteenth session (1014th meeting of the Third Committee).

as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”

*Israel (A/C.3/L.791):††*

In paragraph 1 delete the words “or unlawful”; and insert the word “family” after the words: “. . . with his privacy,”.

*Netherlands (A/C.3/L.799):††*

Replace the present text of the article by the following:

“1. Everyone has the right to respect for his private and family life, his home and correspondence;

“2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others;

“3. No one shall be subjected to unlawful attacks on his honour and reputation. Everyone has the right to the protection of the law against such attacks.”

7. In addition to the above amendments, a proposal for a new article on the right of asylum was submitted by the Union of Soviet Socialist Republics (A/C.3/L.814), as follows:

“Add the following new article at the end of part III of the draft Covenant on Civil and Political Rights:

“‘The right of asylum is guaranteed to all persons persecuted for their activities in defence of the interests of democracy, for their scientific work or for their participation in the struggle for national liberation.’”

## DOCUMENT A/4428

### Note by the Secretary-General

[Original text: English]  
[5 August 1960]

1. At its 1129th plenary meeting on 25 July 1960, the Economic and Social Council, in resolution 772 C (XXX), drew the attention of the General Assembly, in connexion with the consideration by the Assembly of article 18 of the draft Covenant on Civil and Political Rights, to the *Study of Discrimination in the Matter of Religious Rights and Practices*,<sup>6</sup> prepared for the Sub-Commission on Prevention of Discrimination and Protection of Minorities by its Special Rapporteur, Mr. Arcot Krishnaswami, and to the fact that the draft principles drawn up by the Sub-Commission on the basis of this Study (E/CN.4/800, para. 160, resolution I (XII), annex) have been submitted to Governments for their observations.

<sup>6</sup> United Nations publication, Sales No.: 60.XIV.2.

2. The Secretary-General, as requested in resolution 4 (XVI) of the Commission on Human Rights,<sup>7</sup> has transmitted to the Governments of States Members of the United Nations and members of the specialized agencies the text of the draft principles formulated by the Sub-Commission, and has requested them to submit, not later than 31 October 1960, their comments on the substance of those principles and the form in which they should be embodied. The comments received will be submitted to the Commission on Human Rights at its seventeenth session, to be held in New York in March 1961.

<sup>7</sup> Official Records of the Economic and Social Council, Thirtieth Session, Supplement No. 8 (E/3335), para. 167.

## DOCUMENT A/4625

## Report of the Third Committee

[Original text: English]  
[8 December 1960]

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## INTRODUCTION

1. At its 881st plenary meeting on 1 October 1960, the General Assembly decided to allocate to the Third Committee for consideration and report item 34 of the agenda of the fifteenth session: "Draft International Covenants on Human Rights".

2. The draft Covenants have been under discussion in the General Assembly since its ninth session. So far, the Third Committee has adopted: the preamble and article 1 of each Covenant; all the substantive articles (articles 6 to 16) of the draft Covenant on Economic, Social and Cultural Rights; and articles 6 to 14 of the draft Covenant on Civil and Political Rights.<sup>8</sup>

3. The Third Committee, at its 1007th to 1028th meetings, from 31 October to 21 November 1960, discussed and adopted the texts of articles 15, 16, 17 and 18 of the draft Covenant on Civil and Political Rights. The proceedings of the Committee are briefly described below.

ARTICLE 15 OF THE DRAFT COVENANT ON  
CIVIL AND POLITICAL RIGHTS

4. Article 15 of the draft Covenant on Civil and Political Rights, as submitted by the Commission on Human Rights (E/2573, annex I B), read as follows:

"1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequently to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby.

"2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal

according to the general principles of law recognized by the community of nations."

5. The Committee discussed this article at its 1007th to 1014th meetings.

*Amendments submitted*

6. Amendments were submitted by Argentina (A/C.3/L.865), the Philippines (A/C.3/L.867), Japan (A/C.3/L.869), Norway (A/C.3/L.866), the United Kingdom of Great Britain and Northern Ireland (A/C.3/L.793 and A/C.3/L.870) and the Ukrainian Soviet Socialist Republic (A/C.3/L.868).

7. The first amendment of Argentina (A/C.3/L.865) called for the replacement of the first sentence of paragraph 1 by the following:

"No one shall be held guilty of any criminal offence on account of any act or omission which, at the time it was committed, did not constitute a criminal offence under the applicable law."

The second amendment of Argentina was to delete paragraph 2.

8. The amendment of the Philippines (A/C.3/L.867) was to replace the words "held guilty of", in the first sentence of paragraph 1, by the words "tried or punished for". This amendment was withdrawn at the 1012th meeting.

9. The amendment of Japan (A/C.3/L.869) was to add the following to the end of the first sentence of paragraph 1: "or which no longer constitutes such an offence at the time when the judgement is rendered". The amendment was withdrawn at the 1012th meeting.

10. The amendment of Norway (A/C.3/L.866) was to delete the last sentence of paragraph 1. The representative of Norway stated at the 1011th meeting that he would not press his amendment to a vote.

11. The original amendment submitted by the United Kingdom of Great Britain and Northern Ireland at the fourteenth session (A/C.3/L.793) called for the replacement of the last sentence of paragraph 1 by the following:

"If the maximum penalty under the law in force at the time when the sentence is passed is less than was provided by the law in force at the time when the offence was committed, the offender shall benefit thereby."

<sup>8</sup> See *Official Records of the General Assembly, Tenth Session, Annexes*, agenda item 28, document A/3077; *ibid.*, *Eleventh Session, Annexes*, agenda item 31, document A/3525; *ibid.*, *Twelfth Session, Annexes*, agenda item 33, document A/3764 and Add.1; *ibid.*, *Thirteenth Session, Annexes*, agenda item 32, document A/4045; *ibid.*, *Fourteenth Session, Annexes*, agenda item 34, document A/4299.

The representative of the United Kingdom later revised this text to read (A/C.3/L.870) :

"If the law in force at the time when the sentence is passed is more favourable to the offender than the law in force at the time when the offence was committed, the offender shall benefit thereby."

After some discussion the representative of the United Kingdom withdrew this amendment (1013th meeting), and orally proposed instead that the words "and before the sentence is passed" be inserted after the words "commission of the offence" in the last sentence of paragraph 1. This text was eventually put to a vote (see para. 20 (b) below).

12. The amendment of the Ukrainian Soviet Socialist Republic (A/C.3/L.868) was to insert between "provision is made by law" and "for the imposition of a lighter penalty", in the last sentence of paragraph 1, the following: "for the removal of the act from the category of punishable offences or". This amendment was withdrawn at the 1012th meeting.

#### *Issues discussed*

13. Many representatives were in favour of the text submitted by the Commission on Human Rights. The draft article embodied the principle *nullum crimen sine lege*, and prohibited the retroactive application of criminal law. It was pointed out that there could be no offences other than those specified by law, either national or international.

14. Some representatives thought that the words "under national or international law" in the first sentence of paragraph 1 should be replaced by the words "under the applicable law". They suggested that explicit reference to international law was undesirable since the notion of international criminal law was at a developing stage, its substance was still uncertain, and embodiment of this concept in the article might prevent States from becoming parties to the Covenants. They preferred the term "applicable law" which meant the law actually in force; it was a more flexible term in that it would cover both national and international law. Other delegations maintained that the amendment would weaken the text and lead to confusion. Although much remained to be done with regard to the formulation and codification of international penal law, its existence could not be denied, and customary international law, as well as numerous international conventions, condemned certain acts as crimes against humanity or against the peace and security of mankind.

15. The deletion of paragraph 2 was supported by several representatives, who stated that the expression "criminal according to the general principles of law recognized by the community of nations" had no precise legal meaning. Offences could not be defined on the basis of principles, much less on the basis of "general" principles. Any penal provision should first define the offence and secondly lay down the penalty. No court should be allowed to convict an individual by applying vague general principles. It was pointed out in this connexion that the Nürnberg principles defined certain categories of acts regarded as criminal, but did not lay down definite penalties.

16. Other representatives expressed the view that the draft Covenants were intended to be more than merely legal instruments. They were a proclamation of fundamental rights and freedoms and should not simply reflect the present situation but be an instrument of progress.

Moreover, retention of paragraph 2 would eliminate any doubts regarding the legality of the judgements rendered by the Nürnberg and the Tokyo tribunals. It was also pointed out that the principles of international law recognized by the Charter of the Nürnberg Tribunal and the judgements of that Tribunal were affirmed by the General Assembly in resolution 95 (I). The provision of paragraph 2 would confirm and strengthen those principles, and would ensure that if in the future crimes should be perpetrated similar to those punished at Nürnberg, they would be punished in accordance with the same principles.

17. Regarding the last sentence of paragraph 1, some delegations, while in agreement with its underlying principle, felt that the wording did not express the meaning which the Commission on Human Rights had intended to convey. In their view the provision as worded could be interpreted to mean that an offender who was already serving a sentence was automatically entitled to have it reduced if the law were revised to specify a lighter penalty for the same offence. It was pointed out that in some legal systems all cases were reviewed at regular intervals and sentences were often reduced. The reduction of the penalty, however, was not and should not be automatic. The judge should decide on such questions on the merits of each case. Moreover, the wording of the provision seemed to indicate that the one applicable penalty should be replaced by another and lighter penalty. In some countries, however, there was not a single penalty, but a scale of penalties for each offence, the actual term of imprisonment being decided by the judge.

18. Some representatives, on the other hand, considered that the operation of the principle underlying the last sentence of paragraph 1 should not be limited to the time when sentence was passed. A milder penal law should apply retroactively to all offenders whether or not they had been sentenced.

19. Certain representatives thought that, to ensure the maximum protection for the accused, the scope of paragraph 1 should be enlarged. Individuals should be protected not only against being held criminally responsible for an act or omission not punishable as an offence at the time when it was committed but also against the possibility of being brought to trial for such act or omission. Several members of the Committee felt, however, that the question of whether or not an act or omission constituted a criminal offence was to be decided by the court and the accused should therefore be brought to trial.

#### *Voting on article 15*

20. At its 1013th meeting, the Committee voted as follows:

##### *Paragraph 1:*

(a) The amendment of Argentina to this paragraph (A/C.3/L.865) was rejected by a roll-call vote of 47 to 23, with 10 abstentions. The voting was as follows:

*In favour:* Argentina, Bolivia, Brazil, Cambodia, Canada, Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Italy, Japan, Lebanon, Paraguay, Peru, Portugal, Saudi Arabia, Spain, United States of America, Uruguay, Venezuela.

*Against:* Albania, Australia, Austria, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Cuba, Czechoslovakia, Denmark, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Jordan, Liberia, Libya, Morocco, Nepal, Netherlands,

New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Somalia, Sudan, Sweden, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, Yugoslavia.

*Abstaining:* Afghanistan, China, Cyprus, Ecuador, Mexico, Thailand, Tunisia, Turkey, Union of South Africa, Yemen.

(b) The oral amendment of the United Kingdom to insert the words "and before the sentence is passed" after the words "commission of the offence" in the last sentence of paragraph 1 was rejected by a roll-call vote of 34 to 28, with 18 abstentions. The voting was as follows:

*In favour:* Australia, Austria, Belgium, Canada, Chile, China, Cyprus, Denmark, Federation of Malaya, Finland, France, Ghana, Haiti, Israel, Italy, Japan, Lebanon, Netherlands, New Zealand, Norway, Pakistan, Portugal, Saudi Arabia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* Albania, Argentina, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Chad, Costa Rica, Cuba, Czechoslovakia, El Salvador, Greece, Guatemala, Hungary, India, Iraq, Ireland, Jordan, Liberia, Libya, Nigeria, Peru, Philippines, Poland, Romania, Somalia, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela.

*Abstaining:* Afghanistan, Colombia, Dominican Republic, Ecuador, Ethiopia, Indonesia, Iran, Mexico, Morocco, Nepal, Paraguay, Sudan, Thailand, Tunisia, Union of South Africa, United Arab Republic, Yemen, Yugoslavia.

(c) Paragraph 1 as a whole was adopted by a roll-call vote of 56 to none, with 24 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Australia, Austria, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Ecuador, Ethiopia, Federation of Malaya, France, Ghana, Greece, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Japan, Jordan, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Pakistan, Philippines, Poland, Portugal, Romania, Somalia, Sudan, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Argentina, Bolivia, Brazil, Cambodia, Canada, Costa Rica, Denmark, Dominican Republic, El Salvador, Finland, Guatemala, Italy, Lebanon, Norway, Paraguay, Peru, Saudi Arabia, Spain, Sweden, Thailand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

#### Paragraph 2:

(d) The amendment of Argentina to this paragraph (A/C.3/L.865) was rejected by a roll-call vote of 51 to 19, with 10 abstentions. The voting was as follows:

*In favour:* Argentina, Brazil, Chile, China, Colombia, Costa Rica, El Salvador, Guatemala, Haiti, Italy, Japan, Lebanon, Paraguay, Peru, Portugal, Saudi Arabia, Spain, Uruguay, Venezuela.

*Against:* Afghanistan, Albania, Australia, Austria, Belgium, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Cuba, Cyprus, Czechoslovakia, Denmark, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Jordan, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Somalia, Sudan, Sweden, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Yemen, Yugoslavia.

*Abstaining:* Cambodia, Canada, Dominican Republic, Ecuador, Ireland, Mexico, Pakistan, Thailand, Turkey, Union of South Africa.

(e) Paragraph 2 of the original text (E/2573, annex I B) was adopted by a roll-call vote of 53 to 4, with 22 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Australia, Austria, Belgium, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Hungary, India, Indonesia, Iran, Iraq, Israel, Jordan, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Philippines, Poland, Romania, Somalia, Sudan, Sweden, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Yugoslavia.

*Against:* Argentina, Brazil, Japan, Lebanon.

*Abstaining:* Cambodia, Canada, Chile, China, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Ireland, Italy, Pakistan, Paraguay, Peru, Portugal, Saudi Arabia, Spain, Thailand, Union of South Africa, Uruguay, Venezuela.

#### Article 15 as a whole

(f) Article 15 as a whole, as submitted by the Commission on Human Rights, was adopted by a roll-call vote of 56 to none, with 23 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Australia, Austria, Belgium, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Chile, China, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Jordan, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Somalia, Sudan, Sweden, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Argentina, Bolivia, Brazil, Cambodia, Canada, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Italy, Japan, Lebanon, Paraguay, Peru, Portugal, Saudi Arabia, Spain, Thailand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

21. The text of article 15 as adopted by the Third Committee is contained in the annex to the present report.

#### ARTICLE 16 OF THE DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS

22. Article 16 of the draft Covenant on Civil and Political Rights, as submitted by the Commission on Human Rights (E/2573, annex I B), read as follows:

"Everyone shall have the right to recognition everywhere as a person before the law."

23. The Committee discussed this article at its 1014th meeting.

24. No amendments were submitted.

#### *Issues discussed*

25. There was some discussion concerning the distinction between being a person before the law and having legal capacity to act. There was general agreement that article 16 was intended to ensure that every person would be a subject, and not an object, of the law; but that it was not intended to deal with the question of a person's legal capacity to act, which might be restricted for such reasons as minority or insanity.

26. One member of the Committee questioned whether the word "everywhere" should be deleted; not only was the matter to be dealt with in article 2, which specified that rights recognized in the Covenant applied to all individuals within the territory and subject to the jurisdiction of the respective Parties, but the Parties could accept responsibility for implementing the Covenant only within their respective jurisdictions. It was generally considered that the word "everywhere" was not superfluous. The Committee noted that the text of the article followed that of article 6 of the Universal Declaration of Human Rights.

27. One member of the Committee suggested that article 16 should precede article 14. It was agreed, however, that the order of the articles should be determined after consideration of all the articles had been completed.

#### *Voting on article 16*

28. Article 16 as proposed by the Commission on Human Rights was adopted by 74 votes to none, with 1 abstention.

29. The text of article 16 as adopted by the Third Committee is contained in the annex to the present report.

#### ARTICLE 17 OF THE DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS

30. Article 17 of the draft Covenant on Civil and Political Rights, as submitted by the Commission on Human Rights (E/2573, annex I B), read as follows:

"1. No one shall be subjected to arbitrary or unlawful interference with his privacy, home or correspondence, nor to unlawful attacks on his honour and reputation.

"2. Everyone has the right to the protection of the law against such interference or attacks."

31. The Committee discussed the article at its 1014th to 1021st meetings.

#### *Amendments submitted*

32. Amendments were submitted by Cuba (A/C.3/L.872), India (A/C.3/L.873), Denmark and the Netherlands (A/C.3/L.874 and Corr.1), and Denmark, Ireland and the Netherlands (A/C.3/L.874/Rev.1 and Rev.2).

33. The amendment of Cuba (A/C.3/L.872) was to replace the text of article 17 by the following:

"No one shall be subjected arbitrarily or unlawfully to interference with his privacy, home or correspondence, nor to attacks on his reputation."

This amendment was withdrawn at the 1017th meeting.

34. The amendment of India, originally submitted as a working paper (A/C.3/L.873), was to replace article 17 by the following:

"1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence. Everyone has the right to the protection of the law against such interference.

"2. No one shall be subjected to unlawful attacks on his honour and reputation. Everyone has the right to the protection of the law against such attacks."

This amendment was withdrawn at the 1019th meeting and, at the suggestion of the Philippines, the delegation of India orally proposed that the word "family" be inserted after the word "privacy" in paragraph 1 of the original text.

35. The amendments of Denmark and the Netherlands (A/C.3/L.874 and Corr.1) were to substitute "private life, his family" for the word "privacy" in paragraph 1, and to add a new paragraph 3 to the article, to read as follows:

"3. There shall be no interference by a public authority with the exercise of everyone's right to respect for his private life, his family, his home and correspondence, except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

These amendments were replaced by an amendment submitted by Denmark, Ireland and the Netherlands (A/C.3/L.874/Rev.1), which incorporated the Indian amendment (A/C.3/L.873) and would replace the text of article 17 by the following:

"1. (a) No one shall be subjected to arbitrary interference in his privacy, family, home or correspondence. No one shall interfere unlawfully in the privacy, family, home or correspondence of another.

"(b) Everyone has the right to the protection of the law against all such interference.

"2. There shall be no interference by a public authority with the right of everyone to respect for his privacy, family, home or correspondence, except such as is in accordance with law and is necessary in a democratic society in the interests of national security, public safety, the economic well-being of the country or public order (*ordre public*), for the protection of health or morals, or for the protection of the rights and freedoms of others.

"3. No one shall be subjected to unlawful attacks on his honour and reputation. Everyone has the right to the protection of the law against such attacks."

After the Indian amendment was withdrawn, the sponsors of the three-Power amendment submitted a revised text (A/C.3/L.874/Rev.2) which would add the following paragraph to the original text of article 17:

"3. There shall be no interference by a public authority with the right of everyone to respect for his privacy, family, home or correspondence, except such as is in accordance with law and is necessary in a democratic society in the interests of national security, public safety, the economic well-being of the country or public order (*ordre public*), for the protection of health or morals, or for the protection of the rights and freedom of others."

*Issues discussed*

36. While in agreement with the substance of the article as proposed by the Commission on Human Rights, some members of the Committee felt that its drafting could be improved. Some discussion took place regarding the necessity of retaining both the words "arbitrary" and "unlawful" in paragraph 1. Certain representatives thought that the word "arbitrary" should be omitted from the text, since what was arbitrary was at the same time unlawful. In their view the word "arbitrary" was not precise and might not be appropriate in a legal text. Other representatives stated that the word "arbitrary" did not convey the same meaning as the word "unlawful", and that its retention was not only appropriate, but necessary. There could be lawful measures which were nevertheless arbitrary. One representative emphasized that the terms "arbitrary" and "unlawful" referred to two different concepts: "arbitrary" implied abuse of power by public bodies, while "unlawful" meant action contrary to the law. Another representative pointed out that "arbitrary" related to procedure, whereas "unlawful" related to substance. That representative further suggested that to act in an arbitrary manner meant to act unreasonably where reasonable behaviour was required.

37. Some representatives stated it was desirable to make express provision in the article for the protection of the family, and pointed out that article 12 of the Universal Declaration of Human Rights, on which the present article was based, contained a reference to the "family". The addition of the word "family" was deemed desirable, particularly since in some countries "home", in the strict sense of the term, did not refer to the family home and all persons living in it, but merely to the dwelling-place. Several members, on the other hand, considered that the addition of the word "family" in paragraph 1 was unnecessary since the words "home" and "privacy" indicated also the idea of the family. It was pointed out that the article protected the individual and, since the family was composed of individuals, the protection necessarily extended to the family.

38. Certain members of the Committee felt that the notion of honour varied from one country to another and that this word should be deleted. In their view, the word "reputation" had a broader meaning than the word "honour" and the latter was therefore superfluous. Others thought that honour and reputation were two different concepts and that both should be retained. It was pointed out that a slur on an individual's honour involved a judgement of his moral conduct, whereas a slur on his reputation might concern merely an alleged failure to conform to professional or social standards. Moreover, both words were used in article 12 of the Universal Declaration of Human Rights and in many, if not all, legal systems.

39. Some discussion took place on whether or not this article should contain a paragraph limiting the cases in which a public authority might properly interfere with one's privacy, family, home or correspondence. Some representatives felt that the only protection offered by the article, as drafted by the Commission on Human Rights, was that any interference should be authorized by law and that it should not be arbitrary. They suggested that this was insufficient and that a new paragraph should be added indicating the extent to which a State would be allowed, by law, to authorize interference by a public authority. Those who opposed the

amendment held that in its original form the article envisaged the protection of the individual against interference both by public authorities and by private individuals and organizations. The proposed new paragraph would tend to restrict the scope of the article, for it would refer only to possible interference by a public authority. They also stated that the Committee could not adopt a text which contemplated intervention in matters coming essentially within the domestic jurisdiction of Member States; hence it could not limit the extent to which the State might interfere with the individual's right to privacy, family, home and correspondence. Article 17 should merely enunciate principles, leaving each State free to determine how those principles should be put into effect.

*Voting on article 17*

40. At its 1020th meeting the Committee voted as follows:

(a) The Indian oral amendment to insert the word "family" after the words "his privacy" in paragraph 1 was adopted unanimously.

(b) Paragraph 1, as amended, was adopted by 68 votes to none, with 5 abstentions.

(c) Paragraph 2 was adopted by 69 votes to none, with 4 abstentions.

(d) A motion by the representative of Uruguay for a separate vote on the first part of the three-Power revised amendment (A/C.3/L.874/Rev.2) up to and including the words "... in accordance with law" and on the remaining part was rejected by 42 votes to 10, with 21 abstentions. The three-Power revised amendment (A/C.3/L.874/Rev.2) was rejected by a roll-call vote of 38 to 20, with 16 abstentions. The voting was as follows:

*In favour:* Afghanistan, Austria, Belgium, Cambodia, China, Cyprus, Denmark, Federation of Malaya, Finland, France, Greece, Iceland, Ireland, Israel, Italy, Japan, Netherlands, Pakistan, Turkey, United Kingdom of Great Britain and Northern Ireland.

*Against:* Albania, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Chile, Costa Rica, Cuba, Czechoslovakia, Ethiopia, Ghana, Guatemala, Haiti, Hungary, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Libya, Morocco, Nepal, Nigeria, Peru, Poland, Portugal, Romania, Saudi Arabia, Somalia, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia.

*Abstaining:* Argentina, Australia, Burma, Canada, Colombia, Dominican Republic, Mexico, New Zealand, Norway, Paraguay, Philippines, Spain, Sweden, Thailand, United States of America, Uruguay.

(e) Article 17 as a whole, as amended, was adopted by a roll-call vote of 70 to none, with 3 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Italy, Japan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Somalia,

Spain, Sudan, Sweden, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Cuba, United Kingdom of Great Britain and Northern Ireland, United States of America.

41. The text of article 17 as adopted by the Committee is contained in the annex to the present report.

#### ARTICLE 18 OF THE DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS

42. Article 18 of the draft Covenant, as submitted by the Commission on Human Rights (E/2573, annex I B), read as follows:

"1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to maintain or to change his religion, or belief, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

"2. No one shall be subject to coercion which would impair his freedom to maintain or to change his religion or belief.

"3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others."

43. The Committee discussed the article at its 1021st to 1028th meetings. The attention of the Committee was drawn (by virtue of Economic and Social Council resolution 772 C (XXX)) to the *Study of Discrimination in the Matter of Religious Rights and Practices*<sup>9</sup> prepared by Mr. Arcot Krishnaswami and to the draft principles on freedom and non-discrimination in the matter of religious rights and practices which the Sub-Commission on Prevention of Discrimination and Protection of Minorities prepared on the basis of that Study. The draft Principles have been submitted to Governments for their observations.

#### *Amendments submitted*

44. Amendments were submitted by Greece (A/C.3/L.875), by Saudi Arabia (A/C.3/L.876) and by Brazil and the Philippines (A/C.3/L.877).

45. The amendment of Greece (A/C.3/L.875) was to add a new paragraph based on provisions contained in article 14, paragraph 3, of the draft Covenant on Economic, Social and Cultural Rights as approved by the Third Committee at the twelfth session.<sup>10</sup> It read as follows:

"4. The States Parties to the Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians, to ensure the religious and moral education of their children in conformity with their own convictions."

46. The amendments of Saudi Arabia (A/C.3/L.876) were to delete the words "to maintain or to change his religion or belief, and freedom" in paragraph

1, and to replace paragraph 2 by the following: "No one shall be subject to coercion which would deprive him of his right to freedom of religion or belief". These amendments were withdrawn at the 1026th meeting in favour of the text submitted by Brazil and the Philippines (A/C.3/L.877).

47. The amendments submitted by Brazil and the Philippines (A/C.3/L.877) were to replace in both paragraphs 1 and 2 the words "to maintain or to change his religion or belief" by the words "to have a religion or belief of his choice". At the 1027th meeting, the sponsors accepted a suggestion by the representative of the United Kingdom to add the words "or to adopt" after the words "to have" in their amendments to paragraphs 1 and 2.

#### *Issues discussed*

##### *Scope of the right*

48. Much of the discussion centred on whether the article should contain explicit reference to the right of everyone to change his religion or belief. Some members of the Committee held that this right was already implicit in the first sentence of paragraph 1, reading "Everyone shall have the right to freedom of thought, conscience and religion". Concern was expressed that specific mention of the right to "change" one's religion or belief might be interpreted as unduly favouring missionary activities or concerted efforts to propagate anti-religious beliefs or as encouraging doubts in the minds of believers. The Saudi Arabian amendments (A/C.3/L.876) were intended to meet this objection. In this connexion, the representative of Saudi Arabia emphasized that the Holy Places of Islam which each year attracted pilgrims from many countries were situated in his country and his delegation was therefore in a favourable position to interpret Muslim opinion on the question. Islam spread primarily by example rather than by organized missionary work. However, the delegation of Pakistan stated that Islam was a missionary religion and would not wish to deny other faiths the free right of conversion. The view was also expressed that the list of freedoms enumerated in the second sentence was, in any case, not complete, and that the general principle enunciated in the first sentence was not only sufficient but, in fact, afforded a better protection to the rights of the individual.

49. Many members, on the other hand, preferred the text prepared by the Commission on Human Rights. They stressed that the paramount issue was the protection of the individual's freedom of choice in matters of thought, conscience and religion. The detailed provisions, including recognition of the right not only to maintain but, equally, to change one's religion or belief, were necessary to give legal content to that freedom. It was also pointed out that the article dealt only with the right to change one's own religion or belief, not that of other persons.

50. The amendments submitted by Brazil and the Philippines (A/C.3/L.877), to replace the words "freedom to maintain or to change his religion or belief" by the words "freedom to have a religion or belief of his choice", were welcomed as a compromise text. Concern was, however, expressed by some delegations that the words "to have" might be interpreted in a static manner, barring a change of religion or belief once a choice had been made; the addition after "freedom to have" of the words "or to adopt" was intended to clarify this point.

<sup>9</sup> United Nations publication, Sales No.: 60.XIV.2.

<sup>10</sup> See *Official Records of the General Assembly, Twelfth Session, Annexes*, agenda item 33, document A/3764 and Add.1, para. 50.

51. Questions were raised as to the scope of the words "religion" and "belief". It was asked whether the word "religion" might not be interpreted as referring only to such faiths as had scriptures or prophets and whether the word "belief" covered also secular beliefs. Some representatives thought that "religion" covered all belief in a divinity, irrespective of the existence of scriptures or prophets; others said it would not be desirable for the Committee to attempt to define "religion". As regards "belief", while some members held that only religious beliefs should be dealt with in article 18, others stated that the article was intended to provide for complete freedom of thought, conscience and religion, and thus, of necessity, covered non-religious beliefs. Requested by one delegation to state whether the word "belief" was meant to have a religious connotation, or whether it referred also to secular convictions, the representative of the Secretary-General said that he would not presume to give any personal interpretation to the Committee of the term "belief" or even to indicate what interpretation might currently be held in the Secretariat. He however drew the Committee's attention to the foot-note on page 1 of the *Study of Discrimination in the Matter of Religious Rights and Practices*,<sup>11</sup> which read:

"In view of the difficulty of defining 'religion', the term 'religion or belief' is used in this study to include, in addition to various theistic creeds, such other beliefs as agnosticism, free thought, atheism and rationalism."

On the basis of that Study, the Sub-Commission had prepared draft Principles on freedom and non-discrimination in the matter of religious rights and practices, which the Economic and Social Council had requested the Secretariat to send to Governments for their comments. Part I, paragraph 4, of those draft Principles read as follows:

"Anyone professing any religious or non-religious belief shall be free to do so openly without suffering any discrimination on account of his religion or belief."

The draft Principles were still before Governments.

52. Regarding paragraph 2 of article 18, it was also stated that the words "coercion which would impair his freedom . . ." were broader in scope and therefore preferable to "coercion which would deprive him of his right to freedom . . .", since the former covered also indirect pressures. One representative pointed out that the word "coercion", in her interpretation, covered physical as well as more indirect forms of coercion, including improper inducements.

#### *Limitations clause*

53. Although no separate discussion took place on paragraph 3, several delegations expressed a preference for having the limitations clauses of the various articles of the Covenant drafted *mutatis mutandis*, in identical terms.

#### *Addition of a new paragraph*

54. With regard to the Greek amendment (A/C.3/L.875), some delegations expressed the view that the Covenant was intended to protect the rights of the individual and not the rights of third parties. A number of delegations while not opposed to the substance of the amendment, pointed out that the same provisions were already contained in article 14, paragraph 3, of the draft

Covenant on Economic, Social and Cultural Rights, and moreover that they had no place in a Covenant on Civil and Political Rights. It was held on the other hand, that the provisions should be repeated in article 18, since some States might become Parties to the Covenant on Civil and Political Rights only. It was agreed that any such provisions should be expressed in terms identical with those of the above-mentioned article 14, paragraph 3.

55. The question was asked, specifically, whether under the amendment States would be obliged to provide instruction in the religion of the parents' choice. The sponsor replied in the negative and explained that States would not be committed to doing anything other than to respect the wish of parents that their children be brought up in their own religion. Reference was also made in this connexion to the report of the Third Committee on article 14, paragraph 3, of the draft Covenant on Economic, Social and Cultural Rights.<sup>12</sup>

56. The view was expressed that the religious and moral upbringing of children who were deprived of their parents should follow the expressed or presumed wish of their parents. Some representatives referred in this connexion to the provision of the Declaration of the Rights of the Child (General Assembly Resolution 1386 (XIV)), according to which "the best interests of the child shall be the paramount consideration".

#### *Voting on article 18*

57. At the 1027th meeting, the Committee voted as follows on the text submitted by the Commission on Human Rights and the amendments thereto:

##### *Paragraph 1*

At the request of the representative of Afghanistan, a separate vote was taken on the words "or to adopt" appearing in the first amendment of Brazil and the Philippines (A/C.3/L.877), as orally amended, which related to paragraph 1. The words were adopted by 54 votes to none, with 15 abstentions.

The remainder of the first Brazilian-Philippine amendment was adopted by 67 votes to none, with 4 abstentions.

Paragraph 1, as amended, was adopted by 70 votes to none, with 2 abstentions.

##### *Paragraph 2*

In view of the result of the separate vote taken on paragraph 1, above, the representative of Afghanistan did not request a separate vote on the words "or to adopt".

The second Brazilian-Philippine amendment, which related to paragraph 2, was adopted by 67 votes to none, with 6 abstentions.

Paragraph 2, as amended, was adopted by 72 votes to none, with 2 abstentions.

##### *Paragraph 3*

Paragraph 3 as drafted by the Commission on Human Rights was adopted unanimously.

##### *New paragraph 4*

The Greek amendment (A/C.3/L.875) was adopted by a roll-call vote of 30 to 17, with 27 abstentions and became paragraph 4 of article 18. The voting was as follows:

*In favour:* Afghanistan, Argentina, Austria, Brazil, Canada, China, Costa Rica, Cyprus, Denmark, Domini-

<sup>12</sup> See *Official Records of the General Assembly, Twelfth Session, Annexes*, agenda item 33, document A/3764 and Add.1, para. 47.

<sup>11</sup> United Nations publication, Sales No.: 60.XIV.2.

can Republic, Finland, France, Ghana, Greece, Guatemala, Haiti, Iran, Ireland, Israel, Italy, Lebanon, Liberia, Nepal, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Chile, Cuba, Czechoslovakia, Hungary, India, Mexico, Nigeria, Poland, Romania, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

*Abstaining:* Australia, Bolivia, Burma, Cambodia, Colombia, Dahomey, El Salvador, Federation of Malaya, Indonesia, Iraq, Japan, Jordan, Libya, Morocco, Netherlands, New Zealand, Pakistan, Paraguay, Peru, Philippines, Saudi Arabia, Somalia, Thailand, Tunisia, United Arab Republic, Venezuela, Yemen.

#### *Article 18, as a whole*

Article 18 as a whole, as amended, was adopted unanimously.

58. The text of article 18 as adopted by the Third Committee is contained in the annex to the present report.

### ANNEX

TEXT OF ARTICLES 15, 16, 17 AND 18 OF THE DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS AS ADOPTED BY THE THIRD COMMITTEE AT THE FIFTEENTH SESSION OF THE GENERAL ASSEMBLY

#### *Article 15*

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be

imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequently to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby.

2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations.

#### *Article 16*

Everyone shall have the right to recognition everywhere as a person before the law.

#### *Article 17*

1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

2. Everyone has the right to the protection of the law against such interference or attacks.

#### *Article 18*

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians, to ensure the religious and moral education of their children in conformity with their own convictions.

## DOCUMENT A/C.3/L.897

### Note by the Rapporteur concerning article 18 of the draft Covenant on Civil and Political Rights

[Original text: English/French/Spanish/Russian]  
[12 December 1960]

1. The Third Committee, at its 1027th meeting, adopted article 18 of the draft Covenant on Civil and Political Rights. Paragraph 4 of that article was based upon an amendment submitted by Greece (A/C.3/L.875), which in turn reproduced part of the provisions of article 14, paragraph 3, of the draft Covenant on Economic, Social and Cultural Rights.<sup>13</sup>

2. The Rapporteur wishes to draw the attention of the Committee to certain divergencies between the various language versions of these provisions. The Committee may wish to keep this in mind when, upon completion of the drafting of the Covenants, it will make arrangements for settling problems of style and co-ordinating the texts in the various languages.

#### DRAFT COVENANT ON CIVIL AND POLITICAL RIGHTS

##### *Article 18, paragraph 4*

4. The States Parties to the Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians, to ensure the religious and moral education of their children in conformity with their own convictions.

#### DRAFT COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

##### *Article 14, paragraph 3*

3. The States Parties to the Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians, . . . to ensure the religious and moral education of their children in conformity with their own convictions.

<sup>13</sup> *Ibid.*, para. 50.

DRAFT COVENANT ON CIVIL AND  
POLITICAL RIGHTS (*continued*)*Article 18, paragraph 4*

4. Les Etats parties au présent Pacte s'engagent à respecter la liberté des parents et, le cas échéant, des tuteurs légaux, de faire assurer l'éducation religieuse et morale de leurs enfants conformément à leurs propres convictions.

4. Los Estados Partes en el Pacto se comprometen a respetar la libertad de los padres y, en su caso, de los tutores legales, para garantizar que los hijos<sup>a</sup> reciban la educación religiosa y moral que esté de acuerdo con sus propias convicciones.

4. Участвующие в настоящем Пакте государства обязуются уважать свободу родителей и, в соответствующих случаях, законных опекунов обеспечивать религиозное и нравственное воспитание своим детям в соответствии со своими собственными убеждениями.

<sup>a</sup> Point raised by the representative of Peru.

DRAFT COVENANT ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTS (*continued*)*Article 14, paragraph 3*

3. Les Etats parties au présent Pacte s'engagent à respecter la liberté des parents et, le cas échéant, des tuteurs légaux, . . . de faire assurer l'éducation religieuse et morale de leurs enfants conformément à leurs propres convictions.

3. Los Estados Partes en el Pacto se comprometen a respetar la libertad de los padres y, en su caso, de los tutores legales . . . de hacer que sus hijos o pupilos<sup>a</sup> reciban la educación religiosa o moral que esté de acuerdo con sus propias convicciones.

3. Участвующие в настоящем Пакте государства обязуются уважать свободу родителей, а в соответствующих случаях — законных опекунов, ... обеспечивать религиозное и нравственное воспитание своих детей в соответствии со своими собственными убеждениями.

**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 943rd plenary meeting, on 12 December 1960, the General assembly decided to include in the provisional agenda of its sixteenth session the item entitled: "Draft International Covenants on Human Rights".

**CHECK LIST OF DOCUMENTS**

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 34 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/2907 and Add.1-2	Memorandum by the Secretary-General	<i>Official Records of the General Assembly, Tenth Session, Annexes, agenda item 28 (part I)</i>
A/2910 and Add.1-6	Observations by Governments	<i>Ibid.</i>
A/2929	Annotations on the text of the draft International Covenants on Human Rights (E/2573, annex I)	<i>Ibid.</i> , agenda item 28 (part II)
A/3764 and Add.1	Report of the Third Committee	<i>Ibid.</i> , <i>Twelfth Session, Annexes</i> , agenda item 33
A/3824	Note by the Secretary-General	<i>Ibid.</i> , <i>Thirteenth Session, Annexes</i> , agenda item 32
A/C.3/586	Texts of articles 7, 8, 9, 10, 11, 12, 13 and 14 of the draft Covenant on Civil and Political Rights adopted by the Third Committee at the thirteenth and fourteenth sessions of the General Assembly	Mimeographed
A/C.3/L.460	Working paper prepared by the Secretary-General	<i>Official Records of the General Assembly, Tenth Session, Annexes, agenda item 28 (part I)</i>
A/C.3/L.785	Denmark: amendment to article 17 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4397, para. 6
A/C.3/L.791	Israel: amendment to article 17 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4397, para. 6
A/C.3/L.793	United Kingdom of Great Britain and Northern Ireland: amendment to article 15 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	Replaced by A/C.3/L.870

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.3/L.794	United Kingdom of Great Britain and Northern Ireland: amendment to article 16 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4397, para. 6
A/C.3/L.798	Netherlands: amendment to article 15 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4397, para. 6
A/C.3/L.799	Netherlands: amendment to article 17 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4397, para. 6
A/C.3/L.806	Argentina: amendment to article 15 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	Replaced by A/C.3/L.865
A/C.3/L.807	Argentina: amendment to article 17 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4397, para. 6
A/C.3/L.814	Union of Soviet Socialist Republics: amendment to the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4397, para. 7
A/C.3/L.865	Argentina: amendments to article 15 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 7
A/C.3/L.866	Norway: amendment to article 15 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 10
A/C.3/L.867	Philippines: amendment to article 15 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 8
A/C.3/L.868	Ukrainian Soviet Socialist Republic: amendment to article 15 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 12
A/C.3/L.869	Japan: amendment to article 15 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 9
A/C.3/L.870	United Kingdom of Great Britain and Northern Ireland: amendment to article 15 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 11
A/C.3/L.871	Working paper prepared by the Secretariat	Mimeographed
A/C.3/L.872	Cuba: amendment to article 17 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 33
A/C.3/L.873	India: working paper on article 17 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 34
A/C.3/L.874 and Corr.1	Denmark and Netherlands: amendments to article 17 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 35
A/C.3/L.874/Rev.1	Denmark, Ireland and Netherlands: revised amendment to article 17 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 35
A/C.3/L.874/Rev.2	Denmark, Ireland and Netherlands: revised amendment to article 17 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 35
A/C.3/L.875	Greece: amendment to article 18 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 45
A/C.3/L.876	Saudi Arabia: amendments to article 18 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 46
A/C.3/L.877	Brazil and Philippines: amendments to article 18 of the draft Covenant on Civil and Political Rights (E/2573, annex I B)	See A/4625, para. 47
E/2573 — CN.4/705	Report of the Commission on Human Rights on its tenth session (23 February-16 April 1954)	<i>Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 7</i>
E/CN.4/800 — E/CN.4/Sub.2/206	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (twelfth session)	Mimeographed



**Agenda item 35: Draft Convention on Freedom of Information\***

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Third Committee*, 1028th to 1045th and 1049th meetings; and *ibid.*, *Plenary Meetings*, 943rd meeting.

**DOCUMENT A/4401**

**Note by the Secretary-General**

[*Original text: English*]  
[11 July 1960]

1. By its resolution 1459 (XIV) of 10 December 1959, the General Assembly decided to give priority to the discussion of the draft Convention on Freedom of Information at its fifteenth session and to request the Third Committee at that session to devote as many meetings as possible to the consideration of the draft Convention.

2. At the fourteenth session of the General Assembly, the Third Committee discussed the text of the draft Convention on Freedom of Information as formulated by the Committee established by the General Assembly under resolution 426 (V) of 14 December 1950 (A/AC.4217 and Corr.1, annex) and adopted the texts of the preamble and article 1. These texts are given in the annex to the report of the Third Committee on its consideration of the item (A/4341).

3. During the discussion of the draft Convention in the Third Committee at the fourteenth session, Cuba submitted the following amendments (A/AC.3/L.832) to articles 2 and 4:

**I. Article 2**

"Delete everything after the first sentence and add the following: 'The said responsibilities shall be established and delimited by the legal provisions of each country.'"

**II. Article 2**

"If the above amendment is rejected, insert the following in the original text, as paragraph (c), and re-

letter the paragraphs accordingly: "'(c) Expressions and information which are false or erroneous and which create tensions in the country's international relations.'"

**III. Article 4**

"Add the following: 'For this purpose each Contracting State shall have the right to submit its complaints and evidence to the United Nations, so that the latter may study the case, disseminate corrections and seek compromise solutions.'"

Colombia, Ecuador and Venezuela submitted an amendment (A/C.3/L.843), as follows:

"Insert the following new article 6 and renumber the subsequent articles accordingly:

**"Article 6**

"The Contracting States shall guarantee the exercise of journalism as a profession.'"

The Committee did not consider these amendments.

4. In their replies to consultations held pursuant to General Assembly resolutions 1189 A (XII) and 1313 C (XIII) a number of Governments made comments or proposals concerning specific articles of the draft Convention. These were reproduced in documents A/3868 and Add.1-8 and A/4173 and Corr.1 and Add.1-3, respectively.

## DOCUMENT A/4636

## Report of the Third Committee

[Original text: English]  
[9 December 1960]

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## INTRODUCTION

1. At its 881st plenary meeting, on 1 October 1960, the General Assembly allocated to the Third Committee item 35 of the agenda of its fifteenth session (Draft Convention on Freedom of Information).

2. The item had been placed on the agenda of the General Assembly pursuant to resolution 1313 C (XIII) of 12 December 1958, whereby the Assembly decided to proceed, at its fourteenth session, to the discussion of the text of the draft Convention. At the fourteenth session, the Third Committee adopted the preamble and article 1 of the draft Convention (A/4341, annex). By resolution 1459 (XIV) of 10 December 1959, the General Assembly decided "to give priority to this item at its fifteenth session and to request the Third Committee at that session to devote as many meetings as possible to the consideration of the remaining articles of the draft Convention".

3. The Committee had before it the text of the draft Convention as formulated by the fifteen-Power Committee on the Draft Convention on Freedom of Information established by the General Assembly under resolution 426 (V) of 14 December 1950 (A/AC.42/7 and Corr.1, annex); two reports by the Secretary-General on views, suggestions and comments forwarded by Governments pursuant to General Assembly resolution 1189 A (XII) of 11 December 1957 (A/3868 and Add.1-8) and resolution 1313 C (XIII) of 12 December 1958 (A/4173 and Corr.1 and Add.1-3); and a note by the Secretary-General on the draft Convention (A/4401).

4. The Committee discussed the draft Convention at its 1028th to 1045th meetings, from 21 November to 5 December 1960, and adopted the text of article 2.

ARTICLE 2 OF THE DRAFT CONVENTION ON  
FREEDOM OF INFORMATION

5. Article 2 of the draft Convention as formulated by the above-mentioned Committee (A/AC.42/17 and Corr.1, annex) read as follows:

"The exercise of the freedoms referred to in Article 1 carries with it duties and responsibilities. It may therefore be subject to limitations, but only to such as are clearly defined by law; applied in accordance with the law and necessary with regard to:

"(a) The protection of national security;

"(b) Expressions which incite persons to alter by violence the system of government or which promote disorder;

"(c) Expressions which incite persons to commit criminal acts;

"(d) Expressions which are obscene or which are dangerous for youth and intended for them;

"(e) Expressions which are injurious to the fair conduct of legal proceedings;

"(f) Expressions which infringe literary or artistic rights;

"(g) Expressions about other persons, natural or legal, which defame their reputations;

"(h) Legal obligations resulting from professional, contractual or other legal relationships including disclosure of information received in confidence in a professional or official capacity; or

"(i) The prevention of fraud."

*General discussion*

6. Article 2, dealing with permissible restrictions on the exercise of the freedom of information, was widely regarded as the heart of the Convention. The focal question in the discussion was, in fact, the nature of freedom of information itself. It was pointed out that this freedom was everywhere subject to some restrictions. There was much divergence of opinion, however, as to the scope of such restrictions and the manner in which they should be applied. Some members stressed that if far-reaching restrictions were made permissible under this article the Convention would be transformed into an instrument for the restriction of freedom of information, a freedom which had been won at the cost of great sacrifice; and that they would consequently not be able to adhere to such a Convention. Other members held that countries which did not possess well-developed media of information must be enabled to protect themselves against biased or sensational reporting, and that incitement to war, and to national, racial or religious hatred was too dangerous to be condoned in the name of freedom of information.

7. The Committee also discussed the relative merits of prior censorship and subsequent responsibility of authors; the question of which authorities should decide on alleged violations of restrictions in the various countries; and the relationship of this Convention to other international instruments dealing with freedom of information.

8. The views of members of the Committee on these and other questions, as well as on specific points of drafting, may be found in the summary records of the Committee's 1028th to 1045th meetings (A/C.3/SR.1028 to 1045).

*Amendments submitted*

9. Amendments were submitted by Cuba (A/C.3/L.879); Pakistan (A/C.3/L.883); Brazil, Ceylon, Federation of Malaya, Ghana, India, Liberia, Nigeria, Philippines, Saudi Arabia and Yugoslavia (A/C.3/L.885 and Rev.1 and 2); Argentina, Bolivia, Chile, Costa Rica, Guatemala, Peru, Uruguay and Venezuela (A/C.3/L.886 and Rev.1); and Saudi Arabia (A/C.3/L.887).

10. Sub-amendments to the ten-Power amendment (A/C.3/L.885 and Rev.1 and 2) were presented by Pakistan (A/C.3/L.888 and Rev.1) and by Cambodia, Greece, Guatemala, Italy and Turkey (A/C.3/L.890 and Add.1).<sup>1</sup> Saudi Arabia submitted a sub-amendment (A/C.3/L.891) to the eight-Power revised amendment (A/C.3/L.886/Rev.1).

11. Working papers were submitted by the Philippines (A/C.3/L.878); by Brazil, India, Liberia, Nigeria and Yugoslavia (A/C.3/L.880); and by Saudi Arabia (A/C.3/L.881 and A/C.3/L.884).

*Texts of amendments*

12. The amendment submitted by Cuba (A/C.3/L.879) called for insertion in article 2 of a new sub-paragraph (c) reading as follows:

"(c) Expressions and information which are false and which create tensions in international relations, or in the relations between racial, national or religious groups".

13. The amendment submitted by Pakistan (A/C.3/L.883) called for insertion of a new sub-paragraph (h) to read:

"(h) Expressions about founders of religions which injure the sentiments of the followers of those religions".

14. The Philippines introduced a working paper (A/C.3/L.878) which called for the replacement of article 2, as prepared by the fifteen-Power Committee, by a briefer version reading:

"Article 2. The exercise of the freedoms referred to in Article 1 carries with it duties and responsibilities. It may therefore be subject to limitations, but only to such as are defined by law, applied in accordance with law and necessary for the protection of national security; for the prevention of disorder or crime; for the protection of public safety, health or morals; for the protection of the rights and reputations of others; or for ensuring the fair administration of justice."

15. A working paper by Saudi Arabia (A/C.3/L.884) suggested inserting in the above text, after the words "for the protection of national security", the words "for the prevention of deliberate and systematic propaganda for war or for national, racial and religious hatred".

16. A working paper submitted by Brazil, India, Liberia, Nigeria and Yugoslavia (A/C.3/L.880) proposed replacing sub-paragraph (a) of article 2, reading "the protection of national security", by the words "national safety"; and inserting after sub-paragraph (b) two new sub-paragraphs reading:

"(c) Expressions disseminating false and distorted news harmful to friendly relations among nations;

"(d) Expressions inciting to national, racial or religious hatred;"

17. The working papers of the Philippines (A/C.3/L.878), Saudi Arabia (A/C.3/L.884) and Brazil, India, Liberia, Nigeria and Yugoslavia (A/C.3/L.880) were superseded by a text (A/C.3/L.885) presented as a formal amendment by Brazil, Ceylon, Federation of Malaya, Ghana, India, Liberia, Nigeria, Philippines, Saudi Arabia and Yugoslavia. The amendment called for replacing the text of article 2 by the following:

"The exercise of the freedoms referred to in Article 1 carries with it duties and responsibilities. It may, therefore, be subject to limitations, but only to such as are clearly defined by law, applied in accordance with law and necessary for the protection of national security and safety; for the prevention of systematic circulation [of false reports harmful to friendly relations among nations and] of expressions inciting to war or to national, racial or religious hatred; for the prevention of incitement to violence and crime; for the protection of public health and morals, and of the rights, honour and reputation of persons, natural or legal; or for ensuring the fair administration of justice."

The co-sponsors were, however, unable to agree on the clause within brackets and therefore asked that it be put to the vote separately.

18. The sponsors of the ten-Power amendment subsequently revised their text (A/C.3/885/Rev.1) so as to eliminate the expressions "for the protection of". "for the prevention of", "or for ensuring"; they also replaced the words "systematic circulation" by "systematic dissemination" and the words "... reputation of persons, natural or legal" by the words "... reputation of others".

19. Subsequently, the opening clause of the second sentence was changed to read "It may, however, be subject only to such necessary restrictions as are clearly defined by law and applied in accordance with the law in respect of:". The amendment as revised by the sponsors (A/C.3/L.885/Rev.2) thus read as follows:

"The exercise of the freedoms referred to in Article 1 carries with it duties and responsibilities. It may, however, be subject only to such necessary restrictions as are clearly defined by law and applied in accordance with the law in respect of: national security and safety; systematic dissemination [of false reports harmful to friendly relations among nations and] of expressions inciting to war or to national, racial or religious hatred; incitement to violence and crime; public health and morals; the rights, honour and reputation of others; and the fair administration of justice."

20. A sub-amendment by Cambodia, Greece, Guatemala, Italy and Turkey (A/C.3/L.890 and Add.1) called for replacing the word "safety" which followed "national security and" by the phrase "public order (*ordre public*)".

21. A sub-amendment by Pakistan (A/C.3/L.888 and Rev.1)<sup>2</sup> proposed to add "attacks on founders of religions;" after the words "of expressions inciting to war or to national, racial or religious hatred:".

*Addition of a new paragraph*

22. A working paper presented by Saudi Arabia (A/C.3/L.881) suggested the addition of a second paragraph to article 2, reading:

"2. The limitations listed (mentioned in paragraph 1 shall not be imposed without due consultation with

<sup>1</sup> Lebanon became a co-sponsor of the sub-amendment (A/C.3/L.890/Add.2), but subsequently withdrew its sponsorship (1043rd meeting).

<sup>2</sup> The change made in document A/C.3/L.888/Rev.1 was consequential on changes made in the main amendment (A/C.3/L.885/Rev.1).

the national associations of the press or other (national) media of information."

23. Argentina, Bolivia, Chile, Costa Rica, Guatemala, Peru, Uruguay and Venezuela submitted a formal amendment (A/C.3/L.886) suggesting addition of a new paragraph reading:

"The limitations specified in the preceding paragraph shall not be deemed to justify the application of prior censorship by any State."

Subsequently the sponsors submitted a revised text of their amendment (A/C.3/L.886/Rev.1) reading as follows:

"2. The limitations specified in the preceding paragraph shall not be deemed to justify the imposition by any State of prior censorship on news, comments and political opinions and may not be used as grounds for restricting the right to criticize the Government."

24. At the 1038th meeting, Saudi Arabia withdrew its working paper (A/C.3/L.881) and submitted a formal amendment (A/C.3/L.887) calling for the addition of a new paragraph reading:

"2. Nothing in paragraph 1 shall be deemed to justify the application of any arbitrary measures which would violate freedom of information."

Saudi Arabia subsequently submitted a sub-amendment (A/C.3/L.891) to the eight-Power revised amendment (A/C.3/L.886/Rev.1), calling for the deletion of the phrase "prior censorship on news, comments and political opinions and may not be used as grounds for restricting the right to criticize the Government" and for the substitution of the following: "arbitrary measures which would violate freedom of information".

#### *Voting on article 2*

25. At its 1044th meeting, the Committee voted on article 2.

26. The ten-Power revised amendment (A/C.3/L.885/Rev.2) and the two sub-amendments thereto (A/C.3/L.890 and Add.1, and A/C.3/L.888/Rev.1) were put to the vote first.

27. The sub-amendment of Cambodia, Greece, Guatemala, Italy and Turkey (A/C.3/L.890 and Add.1), relating to the words "public order (*ordre public*)", was adopted by 34 votes to 12, with 27 abstentions.

28. At the request of the representative of Pakistan, a roll-call vote was taken on the Pakistan revised sub-amendment (A/C.3/L.888/Rev.1) concerning founders of religions. It was adopted by 22 votes to 9, with 47 abstentions. The voting was as follows:

*In favour:* Argentina, Cambodia, China, Costa Rica, Cyprus, Dominican Republic, Greece, Iran, Iraq, Israel, Jordan, Lebanon, Morocco, Nepal, Nigeria, Pakistan, Saudi Arabia, Sudan, Togo, Tunisia, United Arab Republic, Yemen.

*Against:* Denmark, Finland, Ghana, Iceland, Japan, Norway, Philippines, Sweden, Yugoslavia.

*Abstaining:* Afghanistan, Albania, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Ceylon, Chile, Colombia, Cuba, Czechoslovakia, Ecuador, El Salvador, Ethiopia, Federation of Malaya, France, Guatemala, Haiti, Hungary, India, Indonesia, Ireland, Italy, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Panama, Peru, Poland, Portugal, Romania, Thailand, Turkey, 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, Venezuela.

29. A separate vote was requested by the representative of Chile on the word "national", before the word "racial" in the second sentence of the ten-Power amendment. The word "national" was adopted by 41 votes to 6, with 27 abstentions.

30. As requested by the representative of the Philippines, a separate vote was taken on the phrase "of false reports harmful to friendly relations among nations and". The phrase was adopted by 44 votes to 22, with 14 abstentions.

31. The representative of Cuba at that point withdrew her amendment (A/C.3/L.879) to the original text of article 2 dealing with that question.

32. Upon the request of the representative of Chile, a separate vote was taken on the words "and the fair administration of justice". The words were adopted by 46 votes to 8, with 23 abstentions.

33. Upon the request of the representative of Guatemala, a separate vote was taken on the entire clause beginning with the words "systematic dissemination . . ." to the end of the sentence, as amended. The clause as amended was adopted by 47 votes to 10, with 18 abstentions.

34. At the request of the representative of Afghanistan, a roll-call vote was taken on the ten-Power amendment (A/C.3/L.885/Rev.2) as amended. The text was adopted by 46 votes to 8, with 23 abstentions, the voting being as follows:

*In favour:* Afghanistan, Albania, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic, Ceylon, China, Colombia, Cuba, Cyprus, Czechoslovakia, Dominican Republic, Ethiopia, Federation of Malaya, Ghana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Jordan, Lebanon, Liberia, Mexico, Morocco, Nepal, Nigeria, Pakistan, Peru, Poland, Portugal, Romania, Saudi Arabia, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia.

*Against:* Belgium, Denmark, Finland, Iceland, Luxembourg, Netherlands, Norway, Sweden.

*Abstaining:* Argentina, Australia, Austria, Bolivia, Canada, Chile, Costa Rica, Ecuador, El Salvador, France, Greece, Guatemala, Ireland, Italy, Japan, New Zealand, Panama, Philippines, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

#### *Voting on additional paragraph*

35. At the request of the representative of India, a separate vote was taken on the words "which would violate freedom of information" appearing at the end of the Saudi Arabian sub-amendment (A/C.3/L.891) to the eight-Power revised amendment (A/C.3/L.886/Rev.1); the words were rejected by 33 votes to 20, with 17 abstentions.

36. At the request of Argentina, a roll-call vote was taken on the remaining words of the sub-amendment. They were rejected by 35 votes to 29, with 13 abstentions, the voting being as follows:

*In favour:* Afghanistan, Albania, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Czechoslovakia, Ethiopia, Federation of Malaya, Ghana, Hungary, India, Indonesia, Iran, Iraq, Jordan, Liberia, Morocco, Nigeria, Poland, Romania, Saudi Arabia,

Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia.

*Against:* Argentina, Australia, Austria, Belgium, Bolivia, Canada, Chile, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, El Salvador, Finland, France, Greece, Guatemala, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Panama, Peru, Philippines, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

*Abstaining:* Burma, Cambodia, Central African Republic, China, Cuba, Dominican Republic, Haiti, Lebanon, Mexico, Nepal, Pakistan, Portugal, Thailand.

37. The representative of Argentina pointed out on behalf of the sponsors of the eight-Power amendment (A/C.3/L.886/Rev.1) that the word "*limitaciones*" in the Spanish text should be replaced by the word "*restricciones*", to bring it into line with the wording in the first part of the article, as adopted.

38. The representative of India having asked for a separate vote on the words "on news, comments", the words were adopted by 43 votes to 18, with 14 abstentions.

39. At the request of the representative of the Philippines, a separate vote was taken on the words "and may not be used as grounds for restricting the right to criticize the Government". The words were adopted by 36 votes to 25, with 14 abstentions.

40. At the request of the representative of Morocco, the remaining words, "and political opinions", were put to the vote. They were adopted by 38 votes to 17, with 19 abstentions.

41. At the request of the representative of Argentina, a roll-call vote was taken on the eight-Power amendment (A/C.3/L.886/Rev.1), as amended. It was adopted by 39 votes to 22, with 15 abstentions, the voting being as follows:

*In favour:* Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Greece, Guatemala, Iceland, India, Italy, Japan, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Panama, Peru, Philippines, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

*Against:* Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Czechoslovakia, Ethiopia, Ghana, Hungary, Iran, Iraq, Jordan, Morocco, Nigeria, Poland, Romania, Saudi Arabia, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen.

*Abstaining:* Burma, Central African Republic, Cuba, Federation of Malaya, Haiti, Indonesia, Ireland, Israel, Liberia, Mexico, Nepal, Pakistan, Portugal, Thailand, Yugoslavia.

#### *Voting on article 2 as a whole*

42. At the request of the representative of Saudi Arabia, a roll-call vote was taken on article 2, as

amended, as a whole. The article was adopted by 50 votes to 5, with 19 abstentions, the vote being as follows:

*In favour:* Afghanistan, Albania, Argentina, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dominican Republic, El Salvador, Ethiopia, Federation of Malaya, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Iran, Lebanon, Liberia, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Sudan, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia.

*Against:* Denmark, Finland, Iceland, Norway, Sweden.

*Abstaining:* Australia, Austria, Belgium, Burma, Canada, France, Ghana, Iraq, Ireland, Israel, Italy, Japan, Luxembourg, Nepal, Netherlands, New Zealand, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America.

#### *Text as adopted*

43. The text of article 2, as adopted by the Committee, is contained in the annex to the present report.

#### DRAFT RESOLUTION SUBMITTED BY THE REPRESENTATIVE OF THE PHILIPPINES

44. The Third Committee received a draft resolution submitted by the Philippines (A/C.3/L.889) embodying a proposal for a draft protocol to the Convention on Freedom of Information. Although various delegations made observations on the Philippine proposal, lack of time prevented the Committee from examining this draft resolution at the current session. The Philippine delegation reserved its right to raise the matter again at an appropriate time.

#### ANNEX

#### TEXT OF ARTICLE 2 OF THE DRAFT CONVENTION ON FREEDOM OF INFORMATION AS ADOPTED BY THE THIRD COMMITTEE AT ITS 1044th MEETING

##### *Article 2*

1. The exercise of the freedoms referred to in article 1 carries with it duties and responsibilities. It may, however, be subject only to such necessary restrictions as are clearly defined by law and applied in accordance with the law in respect of: national security and public order (*ordre public*); systematic dissemination of false reports harmful to friendly relations among nations and of expressions inciting to war or to national, racial or religious hatred; attacks on founders of religions; incitement to violence and crime; public health and morals; the rights, honour and reputation of others; and the fair administration of justice.

2. The restrictions specified in the preceding paragraph shall not be deemed to justify the imposition by any State of prior censorship on news, comments and political opinions and may not be used as grounds for restricting the right to criticize the Government.

#### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 943rd plenary meeting, on 12 December 1960, the General Assembly decided to include in the provisional agenda of its sixteenth session the item entitled: "Draft Convention on Freedom of Information".

## CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 35 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/3868 and Add.1-8	Views and suggestions of Governments concerning the draft Convention on Freedom of Information: report of the Secretary-General	Mimeographed
A/4173 and Corr.1 and Add.1-3	Comments by Governments on the text of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex): report of the Secretary-General	Ditto
A/4341	Report of the Third Committee	<i>Official Records of the General Assembly, Fourteenth Session, Annexes</i> , agenda item 35
A/4585	Report of the Secretary-General	<i>Ibid.</i> , <i>Fifteenth Session, Annexes</i> , agenda items 28, 30, 31 and 32
A/AC.42/7 and Corr.1	Committee on the Draft Convention on Freedom of Information: report to the Economic and Social Council	<i>Ibid.</i> , <i>Seventh Session, Annexes</i> , agenda item 29
A/C.3/L.832	Cuba: amendments to article 2 and 4 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4401, para. 3
A/C.3/L.843	Colombia, Ecuador and Venezuela: amendment to the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4401, para. 3
A/C.3/L.878	Philippines: working paper on article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 14
A/C.3/L.879	Cuba: amendment to article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 12
A/C.3/L.880	Brazil, India, Liberia, Nigeria and Yugoslavia: working paper on article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 16
A/C.3/L.881	Saudi Arabia: working paper on article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, paras. 22 and 24
A/C.3/L.883	Pakistan: amendment to article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 13
A/C.3/L.884	Saudi Arabia: working paper on article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 15
A/C.3/L.885	Brazil, Ceylon, Federation of Malaya, Ghana, India, Liberia, Nigeria, Philippines, Saudi Arabia and Yugoslavia: amendment to article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 17
A/C.3/L.885/Rev.1	Brazil, Ceylon, Federation of Malaya, Ghana, India, Liberia, Nigeria, Philippines, Saudi Arabia and Yugoslavia: revised amendment to article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 18
A/C.3/L.885/Rev.2	Brazil, Ceylon, Federation of Malaya, Ghana, India, Liberia, Nigeria, Philippines, Saudi Arabia and Yugoslavia: revised amendment to article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 19
A/C.3/L.886	Argentina, Bolivia, Chile, Costa Rica, Guatemala, Peru, Uruguay and Venezuela: amendment to article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 23
A/C.3/L.886/Rev.1	Argentina, Bolivia, Chile, Costa Rica, Guatemala, Peru, Uruguay and Venezuela: revised amendment to article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 23
A/C.3/L.887	Saudi Arabia: amendment to article 2 of the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex)	See A/4636, para. 24
A/C.3/L.888	Pakistan: amendment to document A/C.3/L.885	See A/4636, para. 21
A/C.3/L.888/Rev.1	Pakistan: revised amendment to document A/C.3/L.885/Rev.2	See A/4636, para. 21
A/C.3/L.889	Philippines: draft resolution	See A/4636, para. 44
A/C.3/L.890	Greece, Guatemala, Italy and Turkey: amendment to document A/C.3/L.885/Rev.1	See A/4636, para. 20
A/C.3/L.890/Add.1	Cambodia, Greece, Guatemala, Italy and Turkey: amendment to document A/C.3/L.885/Rev.1	See A/4636, para. 20
A/C.3/L.890/Add.2	Cambodia, Greece, Guatemala, Italy, Lebanon and Turkey: amendment to document A/C.3/L.885/Rev.1	See A/4636, para. 20
A/C.3/L.891	Saudi Arabia: amendment to document A/C.3/L.886/Rev.1	See A/4636, para. 24
A/C.3/L.892	Working paper prepared by the Secretariat	Mimeographed
A/C.3/L.894	Text of article 2 of the draft Convention on Freedom of Information adopted by the Third Committee at its 1044th meeting	See A/4636, annex

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<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
E/2573 — E/CN.4/ 705	Report of the Commission on Human Rights on its tenth session (23 February—16 April 1954)	<i>Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 7</i>
E/2698	Legal aspects of the rights and responsibilities of media of information— Study by the Secretary-General	<i>Ibid., Nineteenth Session, Annexes, agenda item 15</i>



**Agenda item 36: Draft Declaration on Freedom of Information\***

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**DOCUMENT A/4666**

**Report of the Third Committee**

*[Original text: English]  
[17 December 1960]*

1. By resolution 756 (XXIX) adopted on 21 April 1960, the Economic and Social Council decided to transmit to the General Assembly for its consideration the draft Declaration on Freedom of Information. At its 881st plenary meeting, the General Assembly placed the draft Declaration on the agenda of its fifteenth session (Item 36: Draft Declaration on Freedom of Information) and allocated the item to the Third Committee.

2. The Third Committee, at its 981st meeting, decided to reserve one to two meetings for the discussion of the draft Declaration and placed the item seventh among the eight comprising its order of business. At its 982nd meeting, the Committee decided that the part of the report of the Economic and Social Council dealing with the draft Declaration on Freedom of Information<sup>1</sup> would be taken up in connexion with the consideration of agenda item 36.

3. At its 1058th meeting, the Committee agreed, in view of the limited time remaining at its disposal, to have only a procedural discussion concerning future action to be taken in respect of the draft Declaration.

4. Chile, Costa Rica and the United States of America submitted a draft resolution (A/C.3/L.901) reading as follows:

*"The General Assembly,*

*"Regretting that it has not been possible to examine the draft Declaration on Freedom of Information at its fifteenth session,*

*"Decides to consider it at its sixteenth session."*

5. The sponsors accepted an oral amendment by the representative of Saudi Arabia to replace the preamble by the following:

*"Not having been able to consider at its fifteenth session the draft Declaration on Freedom of Information submitted by the Economic and Social Council in resolution 756 (XXIX)".*

6. The draft resolution submitted by Chile, Costa Rica and the United States of America (A/C.3/L.901), with the amendment accepted by the sponsors, was adopted unanimously.

***Recommendation of the Third Committee***

7. The Third Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]*

\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Third Committee*, 1058th meeting; and *ibid.*, *Plenary Meetings*, 954th meeting.

<sup>1</sup> *Official Records of the General Assembly, Fifteenth Session, Supplement No. 3 (A/4415)*, chap. VI, sect. I.

**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 954th plenary meeting, on 18 December 1960, the General Assembly adopted the draft resolution submitted by the Third Committee (A/4666, para. 7). For the final text, see resolution 1570 (XV) below.

**Resolution adopted by the General Assembly**

1570 (XV). DRAFT DECLARATION ON FREEDOM OF INFORMATION

*The General Assembly,*

*Not having been able* to consider at its fifteenth session the draft Declaration on Freedom of Information submitted by the Economic and Social Council in resolution 756 (XXIX) of 21 April 1960,

*Decides* to consider the draft Declaration at its sixteenth session.

*954th plenary meeting,  
18 December 1960.*

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**CHECK LIST OF DOCUMENTS**

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 36 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4437	Note by the Secretary-General	Not dealt with
A/C.3/L.901	Chile, Costa Rica and United States of America: draft resolution	See A/4666, para. 4



**Agenda item 37: Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories:\***

- (a) Progress achieved by the Non-Self-Governing Territories in pursuance of Chapter XI of the Charter;
- (b) Information on economic conditions;
- (c) Information on other conditions;
- (d) General questions relating to the transmission and examination of information;
- (e) New developments connected with the association of Non-Self-Governing Territories with the European Economic Community: report of the Secretary-General

**Agenda item 39: Dissemination of information on the United Nations in Non-Self-Governing Territories: report of the Secretary-General\***

**Agenda item 40: Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies: report of the Secretary-General\***

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\* For the records of the meetings at which these items were considered, see *Official Records of the General Assembly, Fifteenth Session, Fourth Committee*, 1005th to 1030th, 1087th and 1154th meetings; and *ibid.*, *Plenary Meetings*, 948th and 995th meetings.

## DOCUMENT A/4470

**New developments connected with the association of Non-Self-Governing Territories with the European Economic Community****Note by the Secretariat**

[Original text: English]  
[3 September 1960]

1. Under General Assembly resolution 1470 (XIV) of 12 December 1959, the Secretary-General was requested to prepare, for the fifteenth session of the General Assembly, a report on new developments connected with the association of Non-Self-Governing Territories with the European Economic Community, taking into account the information to be submitted by the Administering Members and the studies that might be undertaken in this connexion by the Economic and Social Council, the Economic Commission for Africa, the Economic Commission for Europe, the Economic Commission for Asia and the Far East, the Economic Commission for Latin America and other international organs, in so far as these studies might be relevant to the development of Non-Self-Governing Territories.

2. No report on new developments as requested by the resolution could be prepared owing to the lack of relevant material. As a result of recent developments of a constitutional nature concerning the former Non-Self-Governing African Territories associated with the European Economic Community it is now impossible for the Secretariat to report on them to the Assembly in the terms of Chapter XI of the Charter.

3. Moreover, no study as yet completed by any of the United Nations organs quoted in the resolution appears to be relevant to new developments concerned with the association of Non-Self-Governing Territories with the European Economic Community.

4. A study is at present under preparation by the Economic Commission for Africa. This study will examine the impact of the European Economic Community on the trade of Non-Self-Governing Territories located in Africa, including those not associated with the Community.

5. The Executive Secretary of the Economic Commission for Africa has informed the Secretariat that, while it will be impossible to present any relevant excerpts from this study to the General Assembly at its present, i.e., fifteenth session, such excerpts will be made available to the Committee on Information from Non-Self-Governing Territories at its next session, in the spring of 1961. The Secretariat will take advantage of this possibility and submit the relevant material provided by the Economic Commission for Africa to the Committee on Information.

6. Since the Government of the Netherlands has provided information on new developments concerning Netherlands New Guinea, this information is summarized below.

7. The Commission of the European Economic Community approved, up to March 1960, for financing by the Development Fund for the overseas countries and territories, the following projects in Netherlands New Guinea:

(a) The establishment of an agricultural experimental station in Manokwari. The amount allocated by the Commission is in the equivalent of \$2.7 million.

(b) A general geological survey, which is to be carried out over a period of five years. The amount to be provided by the European Economic Community is in the equivalent of about \$4.8 million.

(c) A study of the social and demographic structure of the indigenous community, which is considered essential for the preparation of further development plans. The Commission of the European Economic Community has allocated for this study, which is to be made over a period of four years, the equivalent of \$663,000.

## DOCUMENTS A/4471 AND ADD.1\*

**Dissemination of information on the United Nations in Non-Self-Governing Territories****Report of the Secretary-General****Document A/4471**

[Original text: English]  
[3 September 1960]

## INTRODUCTION

1. The General Assembly, in its resolution 1465 (XIV), requested Administering Members to adopt necessary measures for the dissemination of information concerning the United Nations among the inhabitants of Non-Self-Governing Territories and for this purpose to seek the active support and participation of the organizations representative of these inhabitants.

2. The General Assembly also invited the attention of Administering Members to the recommendations con-

tained in paragraph 54 of part two of the 1959 report of the Committee on Information from Non-Self-Governing Territories (A/4111) and requested them to furnish the Secretary-General with information concerning the implementation of these recommendations.

3. This paragraph stated that the problems of production and distribution of literature suitable to the requirements of adult literates in the Non-Self-Governing Territories merited close attention. In areas where channels for the regular sale or loan of books existed, new methods were being constantly sought by educational authorities and the agencies producing reading materials. The Committee noted that, in some Territories, distribution points had been established at mission stations and schools, and local traders had been encouraged to

\* Incorporating document A/4471/Add.1/Corr.1.

carry stocks of books and, in some others, mobile book-van facilities had been introduced.

4. The Committee considered that the story of the United Nations, the Principles and Purposes of the Organization and the principles of the Universal Declaration of Human Rights would be interesting subjects for study by adult populations of the Non-Self-Governing Territories. The Committee recommended that simply written books on these themes should be available to adult literates of the Territories at the appropriate time.

5. The General Assembly requested the Secretary-General to prepare a special report for its fifteenth session on the current state of the dissemination of information concerning the United Nations in the Non-Self-Governing Territories, and on further measures to this end.

6. The present report, covering the period 1 September 1959 to 31 August 1960, is based on information transmitted under Article 73 e of the Charter and supplemental information. Included also are details on the distribution of United Nations Official Records and special information material prepared by the United Nations Office of Public Information for use by Press, radio, visual media, Government officials, educational institutions and non-governmental organizations in the Non-Self-Governing Territories.

7. At the twenty-ninth session of the Economic and Social Council, the Secretary-General of the United Nations and the Director-General of the United Nations Educational, Scientific and Cultural Organization presented a report on the teaching of the Purposes and Principles, the structure and activities of the United Nations and the specialized agencies in schools and other educational institutions of Member States.<sup>1</sup>

8. This report to the Council included information on the steps taken in this field by a number of Administering Members in Territories under their administration. It described in detail United Nations and UNESCO programmes and services which are available to Member States.

9. The Economic and Social Council, at the twenty-ninth session, heard statements on the same subject by the World Confederation of Organizations of the Teaching Profession, a non-governmental organization in Category B consultative status (E/C.2/548), and the World Federation of United Nations Associations, a non-governmental organization in Category A consultative status (E/C.2/545).

10. Information transmitted under Article 73 e, with regard to the dissemination of information on the United Nations, varies in scope and scale. In general, details are lacking.

11. The Secretary-General has not received as yet information on the steps taken by administering Members in pursuance of General Assembly resolution 1465 (XIV).

#### PRESENT STATE OF THE DISSEMINATION OF INFORMATION CONCERNING THE UNITED NATIONS IN THE NON-SELF-GOVERNING TERRITORIES

12. With the growing number of Non-Self-Governing Territories attaining independence, the future needs in the field of information on the United Nations is

being constantly reviewed by the Office of Public Information. The basic need is for more material for the use of all information media. In this respect, there appears to be a demand for simple booklets on the United Nations specially prepared for schools, non-governmental organizations and vernacular newspapers in Non-Self-Governing Territories. The assistance of local administrations may be required for the translation of this material into local languages. This assistance may also be required with regard to photographs, posters, films, filmstrips and radio programmes. Some effort is being made in this direction, in so far as present facilities permit.

#### *Territories under the administration of Australia*

##### *Papua*

13. The United Nations Information Centre in Sydney issues a newsletter on the United Nations which is sent to the principal newspapers in Papua. Pamphlets, booklets and posters are also distributed to teachers and missions.

14. The school social studies syllabus in the Territory provides for school children to acquire a knowledge of the United Nations, and text-books containing information on the United Nations and the specialized agencies are prescribed. The book *United Nations for the Classroom*<sup>2</sup> has been distributed to the senior classes in local schools. United Nations Day is observed with appropriate programmes at most schools.

15. The Radio Station of Papua broadcasts a weekly series "United Nations Report to You" prepared in Australia from material supplied by the United Nations Office of Public Information. Films on the United Nations are sent to Papua by the National Film Board in Canberra for regular screenings in the Territory.

##### *Cocos (Keeling) Islands*

16. The Primary School on West Island follows the Western Australia primary school syllabus which includes teaching about the United Nations. United Nations films are often included in programmes arranged by the Commonwealth National Library.

#### *Territories under the administration of the Netherlands* *Netherlands New Guinea*<sup>3</sup>

17. Material on the United Nations for Netherlands New Guinea is sent by the United Nations Office of Public Information through the appropriate Netherlands Ministry in The Hague.

#### *Territories under the administration of New Zealand*

##### *Cook and Tokelau Islands*

18. Teaching about the United Nations is a recognized part of the curricula of all schools in the Tokelau Islands under New Zealand administration. The Schools Broadcasting System is used daily for the course in social studies, which also provides for discussion of current events in which the United Nations plays a major role. In the health syllabus, the work of the World Health Organization is stressed. Lessons are also given on the work of United Nations visiting missions.

19. Teaching about the United Nations has been less effective in the Cook Islands owing to inadequately in-

<sup>2</sup> Goronwy J. Jones and Evan T. Davis, *United Nations for the Classroom* (London, Routledge & Kegan Paul, 1956).

<sup>3</sup> There is a dispute about this Territory, as regards its political status, between the Government of Indonesia and the Government of the Netherlands.

<sup>1</sup> See *Official Records of the Economic and Social Council, Twenty-ninth Session, Annexes*, agenda item 13, document E/3322 and Add.1-3.

formed teachers, and steps are being taken to remedy the deficiency. Articles on the United Nations are published in the school journals. An experimental social studies syllabus for primary schools, which includes teaching about the United Nations, was introduced in 1959. The subject forms a special project in the Training Centre Maori School and in the teachers' training programme. At Tereora College, a project is in preparation to present the main aspects of the work of the United Nations through drama, song and art to a teachers' refresher course in Raratonga in the latter part of 1960.

*Territories under the administration of the United Kingdom of Great Britain and Northern Ireland*

20. The United Nations Information Centre in London provides information material to the Central Office of Information, London, for distribution to Non-Self-Governing Territories administered by the United Kingdom.

21. Much of the material consists of simple pamphlets such as "Basic Facts", "Membership in the United Nations" and a new series of four-page titles. There has also been increasing demand for wall maps and material on the specialized agencies.

22. The United Kingdom Central Office of Information publishes a regular supply of pamphlets on the activities of the United Nations for circulation in the United Kingdom Non-Self-Governing Territories. In addition, the regular monthly series published by the Reference Division of the Central Office of Information contains many articles on United Nations events and work.

23. In general, it may be said that the demand for information on the United Nations is increasing every year, particularly in African Territories. This is apparent in the sphere of the Press from the increased number of requests for material, particularly the United Nations weekly newsletters. Her Majesty's Stationery Office, which is the sales agent for United Nations publications in Non-Self-Governing Territories administered by the United Kingdom, reports increased subscriptions for the *United Nations Review* and *Everyman's United Nations*. Programmes on the United Nations are specially prepared by the British Broadcasting Corporation for listeners in Non-Self-Governing Territories.

24. The demand for photographs of news value is limited by the fact that most newspapers in Non-Self-Governing Territories lack proper reproduction facilities. United Nations films for the United Kingdom Non-Self-Governing Territories are distributed through the Overseas Film Library in London.

*British West Indies*

25. United Nations films, United Nations Day posters and leaflets and the pamphlets entitled, "The Developing Role of the United Nations", "Technical Assistance in Brief", and "United Nations: What it is . . ." are circulated through information services in the various Territories.

26. The United Nations Radio weekly and monthly features and documentary programmes are broadcast by the radio services in Barbados, Grenada, Bahamas, Jamaica and Trinidad. During the fourteenth session of the General Assembly, a special three-minute daily news service was instituted for relay in the British West Indies.

*Gambia*

27. The Government Information Office in Gambia distributes information material supplied by the United Nations Office of Public Information. This material, supplied in bulk, is replenished from time to time and includes photographs, films, filmstrips, posters, a weekly United Nations newsletter and background papers. The re-distribution of this material is mainly to newspapers, about thirty schools and a few non-governmental organizations. There is no radio station in Gambia. Listeners tune in to the radio stations of Sierra Leone, Dakar, and the British Broadcasting Corporation, which carry items on United Nations activities.

*Nigeria*

28. The Information Departments of the three Regional Governments of Nigeria stock and re-distribute United Nations information material, including films, filmstrips, press releases and newsletters. The Nigerian Broadcasting Corporation has regular United Nations programmes. The Information Department of the Government of Nigeria has assisted the United Nations Office of Public Information in producing translations of selected information material in local languages.

29. Information material is sent to a mailing list containing 260 addresses of newspapers, non-governmental organizations, educational institutions and individuals. A television studio at Ibadan operates on a commercial basis. Arrangements are being made for the use of United Nations material on the studio's programmes.

*Sierra Leone*

30. The Government Information Office in Sierra Leone reissues features and items from the weekly United Nations newsletter. The Territory's broadcasting service broadcasts United Nations weekly features on a regular basis. In addition to the bulk supply of information material to the Government Information Office, the United Nations Office of Public Information maintains a mailing list of twenty-seven addresses in the Territory, representing six newspapers, schools, the United Nations Association and a number of non-governmental organizations. The coverage of United Nations news by the Press is limited but is relatively extensive by radio, which has a weekly fifteen-minute programme. The showing of United Nations films is popular and there is a demand by schools for pictorial presentations on the United Nations.

*Singapore*

31. Information on the United Nations is given wide and free circulation in Singapore, both in its highly developed newspapers and by Radio Singapore, as well as through non-governmental organizations such as the Singapore United Nations Association. This Association organizes the celebration of United Nations Day each year.

*The Solomon Islands*

32. UNESCO has collaborated with the South Pacific Commission in establishing a literature production centre at Honiara. The centre will provide training for thirty-six islanders from Territories throughout the Pacific in the preparation and production of printed material needed in the islands such as school books, news-sheets and leaflets. In addition, the centre will, by helping to provide training staff and by investigating practical prob-

lems, assist towards self-sufficiency in the provision of printed matter designed specially for their own conditions. There is no information as to whether the literature will eventually include material on the United Nations.

*Territories under the administration of the  
United States of America*

*American Samoa, Guam, Virgin Islands*

33. Selected United Nations documents relating to education, economic development, social welfare and health are sent regularly to the United States Territories of American Samoa, Guam, and the Virgin Islands. Special documents are sent from Washington when requested by a Territory.

34. School text-books in use in United States Territories contain information on the United Nations. Special emphasis is given to the work of the Organization and its specialized agencies in social studies classes.

35. United States Territories are at present not in a position to cope with the volume of reports and documents issued by the United Nations and the specialized agencies. It has been necessary, therefore, to exercise a degree of selectivity in forwarding these documents to the Territories. The Territories themselves have indicated that they are interested in receiving material which has a direct bearing on local interests and problems. For this reason, reports of the Committee on Information from Non-Self-Governing Territories, the summaries and analyses of information transmitted to the Secretary-General and special studies on conditions in Non-Self-Governing Territories are sent to the United States Territories on a continuing basis.

36. The number of newspapers and news-sheets, and radio stations in the Virgin Islands, Guam and American Samoa is limited. However, United Nations activities receive satisfactory coverage. The Governors of these Territories issue proclamations regarding United Nations Day and Human Rights Day and special programmes are arranged to commemorate the anniversaries.

**Document A/4471/Add.1\***

[Original text: English]  
[6 October 1960]

1. In the Secretary-General's report (A/4471) dated 3 September 1960 and submitted in accordance with General Assembly resolution 1465 (XIV) regarding the dissemination of information on the United Nations in Non-Self-Governing Territories, it was noted (para. 11) that at that time no information had as yet been received on the steps taken by Administering Members in pursuance of the resolution concerned.

2. By a letter dated 30 September 1960, the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland transmitted a memorandum with annexes, summarizing the results of a review carried out by his Government of the information material about the United Nations and the specialized agencies sent to the Territories administered by the United Kingdom.

3. The substance of the memorandum, together with extracts from summaries of information supplied by the Territories concerned, is set out in the present addendum to the report of the Secretary-General.

INFORMATION TRANSMITTED BY ADMINISTERING MEMBERS CONCERNING THE IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 1465 (XIV)

*United Kingdom*

4. By a note dated 30 September 1960, the Permanent Representative of the United Kingdom transmitted a memorandum which states that in the light of General Assembly resolution 1465 (XIV), the United Kingdom Government has carried out a review of all types of publicity material about the United Nations and the specialized agencies issued to Non-Self-Governing Territories for which the United Kingdom is responsible, and of the use which is made of it. This review is stated to have produced many useful results.

5. Information and publicity material about the United Nations are received in Territories for which the United Kingdom is responsible from a variety of sources. The chief of these are the United Kingdom Central Office of Information,<sup>4</sup> the United Nations Information Centre in London, United Nations Headquarters itself and the specialized agencies. In addition to these sources, Government information services or voluntary organizations in the Territories sometimes produce material of their own locally for various purposes.

6. The memorandum states that the review has revealed that the use which is made of publicity material varies greatly from one Territory to another according to local circumstances and it is almost impossible to generalize about the type of material which is most useful. In some Territories, for example, radio tapes have been found to be a most worth-while as well as the most popular method of publicizing the United Nations; in others, particularly Territories with scattered and relatively unsophisticated populations, films which can be taken by mobile cinema vans to people in rural areas are the most useful; in a few others, such as Hong Kong, which has a relatively sophisticated population taking a keen interest in world affairs, material for use by newspapers and magazines is very profitable. In many cases, experience has shown that publicity about the activities of the specialized agencies is most effective if it can be linked to the activities of one or more of the agencies in the Territory itself in which there is often a keen local interest.

7. The review, which covered the last five years, indicated that generally the supply of material about the United Nations has been adequate to meet local needs; but also that these needs are growing, in many cases rapidly. There are encouraging signs of increasing interest in the United Nations. The authorities in many Territories indicate that they could in future use more of certain types of materials. Various requests for particular types of material are being considered urgently, in consultation, where appropriate, with the United Nations Information Centre in London. A number of Territories indicated that, as suggested by the Committee on Information from Non-Self-Governing Territories in its report to the Assembly in 1959 (A/4111, part two, para. 54), they could make use of more simply written material about the United Nations, which could best be produced in English and either issued in that language or trans-

<sup>4</sup> A note containing details of the principal types of publicity material issued by the United Kingdom Central Office of Information was attached to the memorandum. The note describes the types of material supplied through the overseas press services, the reference services, the film services, radio tapes, publications and posters and photographic services.

\* Incorporating document A/4471/Add.1/Corr.1.

lated locally into a vernacular. The United Kingdom Government would therefore welcome the co-operation of the Office of Public Information in producing more material of this sort.

8. In a number of Territories, the authorities indicated that the posters and other material from the United Nations Information Centre in London for United Nations Day (which is very widely observed in British Territories), while of good quality, have not been sufficient in quantity, and this matter is also being discussed with the United Nations Information Centre.

9. The memorandum concludes by stating that the review has revealed many possibilities of widening the scope of publicity about the United Nations in Territories for which the United Kingdom is responsible, and that these are being followed up.

10. Summaries and extracts from the replies sent by individual Territories for the purposes of the review are annexed to the memorandum. The data given below are taken from these summaries.

#### *Aden*

11. News about the activities of the United Nations is received from the Central Office of Information, United Nations sources and other press services, and is widely publicized through the Aden Press Service, the Aden Broadcasting Service and the Aden Forces Broadcasting Association. United Nations leaflets, pamphlets and posters are given a wide distribution and are placed in six information centres in the Protectorate. They are also distributed to the Press, reading rooms, clubs and associations and schools, in both the Colony and Protectorate.

12. United Nations films are included in daily film shows in schools, clubs, football grounds, and other places in the Colony. They are also shown in the Protectorate by mobile units. A very small number of radio tapes have been received so far direct from United Nations sources. Tapes received from the Central Office of Information, which include United Nations material, are used regularly by the Aden Broadcasting Service.

13. The volume and content of the material received at present is quite sufficient to meet the needs of the Colony, but if a wider public is to be catered for, then additional material, especially in the way of films and radio tapes in Arabic, would be welcome. There is a general public awareness in Aden of the purpose and activities of the United Nations and its specialized agencies.

#### *Barbados*

14. There is considerable scope for the use of high quality programmes for broadcasting if recordings of these can be supplied by the United Nations. It would be helpful if these could be accompanied by posters as well as a calendar of forthcoming events to draw attention to them. The film unit of the Department of Education would be particularly glad to receive any films on the subject of community development.

#### *North Borneo*

15. Considerable publicity has been given to the work of the specialized agencies. With regard to publicity of the United Nations Organization itself, feature articles issued by the Central Office of Information have been published in the English and Chinese Press. Reference material is available in the libraries. The United Nations

film "A Village Awakens", which is in the Information Department's film library, has been screened at sixty-eight film shows, and has been seen by 33,850 people. Posters and photographs have also been used.

#### *British Guiana*

16. Material on the United Nations received from the Central Office of Information in London consists of news items and feature articles used in government newscasts, in the fortnightly government newspaper for mass distribution, and in the daily Press. United Nations films have been obtained from time to time through the Central Office of Information.

17. "United Nations News", a weekly survey of United Nations activities, is received regularly from the United Nations Information Centre in London. A supply of posters and booklets is also received from the Centre each year for use in connexion with the annual observance of United Nations Day. This material is usually distributed to rural libraries, clubs, schools and government offices. The demand from schools has been growing, and the Centre has been consulted about increasing the supply. There is need, however, for improvement: the posters often tend to be abstract and dull and the pamphlets too detailed and difficult. What is needed is material of the photoposter type and pamphlets with an emphasis on pictures rather than on the printed word.

18. The Information Department receives regularly "Unesco Features", items from which are released to the Press and frequently used in radio programmes. Usage is comparatively high as the material is suitable and in a form ready for use.

19. Radio programmes are regularly received from United Nations Radio in New York and broadcast on government time. These programmes are well produced; they have a small but regular and growing audience.

20. There is a good deal of general public awareness in this Territory of the purposes and activities of the United Nations and of its specialized agencies, particularly the World Health Organization and the United Nations Educational, Scientific and Cultural Organization. Their work is known and appreciated among large sections of the community. As regards the United Nations, there is awareness mainly in local political circles, one feature of which is a reported continuing demand for copies of the Universal Declaration of Human Rights. The information which is available is considered adequate to meet local requirements, and there is no urgent need at the present time for more material.

#### *British Honduras*

21. A regular supply of material is received direct from the United Nations Headquarters in New York and, from time to time, additional material is received from the United Nations Information Centre in London. The United Nations Headquarters supplies the radio tapes entitled "This Week at the United Nations" and "The World of 1960". Both of these are used regularly over the British Honduras Broadcasting Service and are much appreciated by the local audience.

22. The Territory is on the whole kept fairly well informed about United Nations work through news items and the regular radio programmes. A special effort was made during United Nations Week last year and a series of talks was broadcast by the Colonial Secretary daily throughout the whole week on the United Nations and the work of the specialized agencies. More visual

aid material (i.e., films, posters and photographs) would be most useful in giving further effective publicity to the actual achievements of the United Nations and the specialized agencies.

#### *Hong Kong*

23. Hong Kong has a flourishing Press of its own, having thirty-seven daily newspapers fed with world news by seven of the leading international news agencies. The Press gives United Nations affairs as much coverage as does the Press of most self-governing countries. Material on the United Nations issued by the Central Office of Information is distributed to the Hong Kong newspapers by the Government's Information Services, and publication in one or other paper is being achieved of about one insertion every nine days. With the increase of Radio Hong Kong's English broadcasting hours to an all-day service, practically all the United Nations radio tapes which can be supplied are being used.

24. As regards the general public's awareness of the purposes and activities of the United Nations and its agencies, the information available is adequate to meet local requirements. This is a sophisticated urban community, as fully aware of world events and developments as any other such community.

#### *Jamaica*

25. Good use has been made of the material supplied to Jamaica by the United Nations and the specialized agencies and by the United Kingdom Central Office of Information, but it has not been possible, with the resources available, to produce locally printed material along the lines proposed by the Committee on Information from Non-Self-Governing Territories. Schools and library services would welcome a regular flow of up-to-date printed matter of all kinds, dealing with the work of the United Nations. The radio, Press and films services have also shown themselves very willing to co-operate in carrying United Nations materials, and more material than is now available could be used.

26. As regards the content of the material supplied, the public in this area have shown themselves particularly interested in United Nations activities in the social welfare fields, e.g. economic development, technical assistance, health education, etc., as well as in United Nations activities and responsibilities in relation to dependent territories and emerging nations.

27. As this area approaches nearer to self-government and direct representation in the United Nations, it is important that still more material be made available which will help in an understanding of the political aspects of the work of the United Nations and of the political problems with which the Organization is faced, and in the solutions of which West Indian delegates will eventually be expected to play a part.

28. Development of public awareness of, and interest in, the United Nations has also been undertaken by non-governmental organizations. A United Nations Association was formed several years ago, which has been instrumental in developing an increasingly comprehensive commemoration of United Nations Day; and during the week preceding United Nations Day it has been the practice to arrange a substantial campaign of information through radio broadcasts, film shows, newspaper articles and lectures. Other non-governmental organizations with special interest in certain aspects of United Nations work are also active in this area on their own and in co-operation with the United Nations Association.

29. A submission has recently been made to the Jamaica Government by the senior United Nations official in Jamaica with recommendations as to the steps which might be taken by the Government for stimulation of public interest in the United Nations. These recommendations are now under consideration.

#### *Kenya*

30. Information material about the United Nations and the specialized agencies, which is received by the Kenya Government, either from United Nations sources or through the United Kingdom overseas information services, is distributed by the Ministry of Information. News stories are issued to the local Press and the Kenya Broadcasting Service as press releases and receive a fair degree of coverage, and when suitable, are used in the vernacular papers published by the Ministry.

31. Much of the material received deals not so much with the general aims of the United Nations as with various development projects initiated by the specialized agencies. How much impact this material has on the general public is difficult to assess, but it is probably not very great other than when it deals with the activities of a specialized agency, such as UNICEF, which is actually operating in the Territory.

32. The film "A Village Awakens" has been much in use by borrowers from the film library. The copy is old and little comment has been made on it by exhibitors. As it is about Greek peasants, its impact on African audiences is not thought to be very great. Useful publicity might, however, be gained for the United Nations if more suitable films with an African background could be supplied.

#### *Mauritius*

33. Material on the United Nations received from the Central Office of Information in London includes news items, articles, pamphlets, reference papers, films, radio tapes, and posters. The news items are included in the daily news bulletins of the Central Office of Information and released by the Mauritius Broadcasting Service. Some of the items of educational interest are distributed to the thirty main secondary schools. All United Nations films are included in the cinema circuits of the mobile cinema units and loaned out to the public.

34. The Press and feature services are adequate for the present needs but will, no doubt, admit of expansion when future developmental projects are carried out. Entertainment and documentary films are much appreciated, and films on such topics as home economics, health and sanitation, road safety, public works, handicraft, first aid, and other ancillary subjects would serve a very useful purpose. It would be desirable to receive more radio tapes, especially those likely to be of specific interest to students of world affairs.

#### *Sarawak*

35. Probably the most important method of publicity for local use is broadcasting material in the form of transcriptions. Such material has been used by Radio Sarawak and they would welcome more of it. The Director of Broadcasting is in direct touch with the United Nations Radio Services.

36. The Government of Sarawak Information Service does a great deal to publicize United Nations activities which affect Sarawak and there is a good coverage of such activities in the local Press and in

the Information Service's own publications in various languages. Facts about the United Nations and its activities are taught in schools and teachers' training colleges. The Director of Education would welcome more material of the simpler kind, with pictures and diagrams, for use in schools.

37. Printed material other than that already mentioned can be put only to limited use in Sarawak and is received in more than adequate quantities. The capacity of a Territory of this nature to digest quantities of information can easily be exceeded and it is important to concentrate on a limited field. Education, Broadcasting and Information Services are all fully conscious of the importance of increasing local knowledge of the United Nations and make the best use in a selective way of the material supplied.

#### *Sierra Leone*

38. On the eleventh anniversary of the adoption of the Universal Declaration of Human Rights, on 10 December 1959, a special exhibition was mounted in Freetown by the Department of Information. To coincide with the opening of the exhibition, the Prime Minister issued a special message. This was given wide publicity.

39. The Department of Information also holds a number of United Nations films in its library and, apart from using these prints in departmental shows throughout the country, they are made available on loan to colleges, schools and organizations possessing projection equipment.

40. In addition, this Department also makes available to the local newspapers and to the public a variety of material received from various United Nations agencies. On such occasions as United Nations Day, the Department requests large quantities of posters and leaflets which are distributed to schools and organizations. Unfortunately, last year, only a limited supply was forthcoming.

41. The Regional Director of Information for the United Nations visited Sierra Leone in the early part of 1960 and spent a considerable time with officers of the Department of Information, the Sierra Leone Broadcasting Service and various government departments. He met press representatives and officials of the local United Nations Association and the United Nations Students Association branch at Fourah Bay College, the University College of Sierra Leone. In many cases, he discussed the possibility of meeting requests for increased supplies of material. An order has also been placed for United Nations Day material for October 1960.

42. Various ministries are in constant touch with the specialized agencies of the United Nations, i.e., the World Health Organization; the United Nations Educational, Scientific and Cultural Organization; the International Labour Organisation and the International Civil Aviation Organization. When items of outstanding interest arise, these are well-publicized and the work which is being undertaken here, by WHO for example, is known to, and appreciated by, members of the public. There is no doubt that, in the immediate future, similar relationships will be developed between Sierra Leone and other specialized agencies.

#### *St. Helena*

43. The main recipients of the material made available from the United Kingdom overseas information

services have been the twelve schools where particularly that provided from the Reference Service of the Central Office of Information has formed a background for lessons. A copy of each item received has also been placed in the public library where the bulk of the material from the London Press Service of the Central Office of Information is also made available. As space permits, the St. Helena news review has given brief accounts of United Nations activities, but the time-lag resulting from the infrequent mail service between the actual event and receipt of the detailed published news transmission reporting it has strictly limited even this type of publicity.

44. The content of most of the material received seems fairly suitable, and some of it, e.g. that received in connexion with United Nations Day, very suitable; but the quantity sent on the latter occasion did not permit a wide enough distribution.

#### *St. Lucia*

45. The United Kingdom official overseas information services keep this Territory well informed of much of the United Nations activities by a regular supply of releases. Copies of releases are sent to the local (weekly) Press for publication, but owing to lack of space much of it remains unpublished.

46. Copies of reports emanating from the United Nations, especially those relating to Non-Self-Governing Territories, are also received here.

47. Films about the work of the United Nations are shown in the main towns and villages, and also in rural areas by the mobile film unit of the Public Relations Department. In addition, radio stations in the West Indies broadcast news about the United Nations supplied on tapes by the transportation service of the United Nations.

48. The work being done in the island by some of the United Nations specialized agencies, especially UNICEF and WHO, creates a certain amount of public interest in the affairs of the United Nations as a whole, since the people have derived great benefit from the work of these agencies. As a result there exists a certain degree of public awareness of the purposes and activities of the United Nations.

49. Interest in the political activities of the United Nations has also been increasing in the last few years. Today the United Nations work in the Congo is attracting much public attention.

#### *Trinidad and Tobago*

50. Information about the United Nations is made available to the public mainly through the radio. At least once a week—except on rare occasions when circumstances make it impossible—a United Nations radio programme is used on the two local radio stations simultaneously during the Government hour, which is at a good listening time. These weekly programmes, obtained on tapes and discs from the United Nations in New York, deal with the activities of the various organs of the United Nations. The programmes, which are generally well produced, are very popular.

51. For United Nations Day every year, leaflets and posters received from the United Nations Information Centre in London are distributed and special radio programmes are used. The number of posters and leaflets sent is never adequate and there is need for 16 mm. films.

*Virgin Islands*

52. There is general public awareness of the purposes and activities of the United Nations. Teachers deal with the subject in world affairs classes with senior children and there is a comparatively large number of radio receiving sets in all the islands through which daily news broadcasts as well as specialized reports are received. WHO, which conducted a public health campaign, and UNICEF, which is responsible for the distribution of milk to children and nursing mothers, are both well known in the Territory.

53. Materials received at present are adequate for the available facilities to use them. With the recent opening of a cinema, it might be useful if such United Nations films as are circulated could be received. Greater publicity might also be given to appropriate material now that a weekly newspaper is being published.

*Zanzibar*

54. A number of pamphlets on the work of United Nations agencies, such as WHO, UNICEF, UNESCO, and Africa and the United Nations have been received. Extracts have been broadcast and published in the

weekly government newspaper *Maarifa*. In addition, tapes such as "World Health Day, 1960" from the Central Office of Information have been broadcast. Much of the written material has been distributed to the local Press, libraries and schools, but the local Press has so far shown little interest in publishing this material.

55. There has been publicity about WHO activities (malaria eradication, T.B. survey) in Zanzibar and Pemba. General public awareness of these activities is high. As for activities of the United Nations General Assembly, Trusteeship Council, Security Council, the public awareness has in the past been slight but a recent visit by the Secretary-General and more recently events in the Congo, particularly the use of United Nations forces largely composed of troops from independent African territories, has resulted in increased public awareness of some of the United Nations activities.

56. The chief need is for simple accounts in simple English of what the United Nations and its agencies have done to promote peace and help economically under-developed countries, in terms that can be comprehended when translated into Swahili.

**DOCUMENTS A/4472 AND ADD.1****Participation of the Non-Self-Governing Territories in the work of the United Nations  
and of the specialized agencies****Report of the Secretary-General****Document A/4472**

[Original text: English]  
[6 September 1960]

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**INTRODUCTION**

1. The present report on the participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies is submitted to the General Assembly at its fifteenth session in accordance with General Assembly resolution 1466 (XIV) of 16 December 1959, the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. *Invites* the Administering Members to submit to the specialized agencies the candidature of the Territories referred to in Article 73 of the Charter of the United Nations with a view to their admission as members, associate members or observers, according to the constitution of the agency concerned;

"2. *Specially requests* all Member States administering Non-Self-Governing Territories in Africa to

propose the participation of these Territories in the work of the Economic Commission for Africa;

"3. *Re-emphasizes* the great advantage of the Administering Members including in their delegations representatives of the Non-Self-Governing Territories to participate in the work of the Committee on Information from Non-Self-Governing Territories and in the discussion of such matters in the Fourth Committee;

"4. *Invites* the Administering Members to furnish the Secretary-General with a report on the practical measures taken to implement the present resolution;

"5. *Requests* the Secretary-General to report to the General Assembly at its fifteenth session on the progress made."

2. In the absence of the information called for in operative paragraph 4 of this resolution, the Secretary-General has based this report on publications of the various agencies concerned. The report deals with the participation of the Non-Self-Governing Territories in the work of:

I. The specialized agencies in accordance with the constitution of the agency concerned;

II. The regional economic commissions in accordance with the terms of reference of the commission concerned;

III. The Committee on Information from Non-Self-Governing Territories.

3. In preparing this report, the Secretary-General has dealt only with those Territories on which information was being transmitted by the Administering Members under Article 73 e at the time when they were brought into relationship with the various organs and agencies concerned.

## I. SPECIALIZED AGENCIES

4. In terms of the provisions made in their constitutions, conventions and similar instruments for the participation of Non-Self-Governing Territories in their work, the specialized agencies may be classified into four major groups:

- A. Agencies whose constitutions do not provide for associate membership for the Territories;
- B. Agencies whose constitutions provide for associate membership for the Territories;
- C. Agency whose constitution provides for both ordinary membership and associate membership for the Territories;
- D. Agencies whose constitutions provide for ordinary membership for the Territories.

A. *Agencies whose constitutions do not provide for associate membership for the Territories*

*International Labour Organisation (ILO)*

5. The Constitution of the International Labour Organisation does not provide for associate membership for the Territories. However, under article 3, paragraph 3, of the Constitution, the following provision is made for the participation of the Non-Self-Governing Territories in the work of the General Conference:

“3. Each Member which is responsible for the international relations of non-metropolitan territories may appoint as additional advisers to each of its delegates—

“(a) Persons nominated by it as representatives of any such territory in regard to matters within the self-governing powers of that territory; and

“(b) Persons nominated by it to advise its delegates in regard to matters concerning non-self-governing territories.”<sup>5</sup>

6. The extent of participation of the Non-Self-Governing Territories in the work of the General Conference under the above provision of the ILO Constitution cannot be determined. The smaller Territories under United Kingdom administration have sent advisers with the United Kingdom delegations to the General Conferences and in 1959 representatives from Nigeria and The West Indies attended the forty-third session of the International Labour Conference.<sup>6</sup>

7. At its 124th session, in March 1954, the Governing Body of the ILO decided that, on the recommendation of the responsible member State, non-metropolitan territories might be invited to participate by means of tripartite observer delegations in sessions of the International Labour Conference.<sup>7</sup>

8. By a letter dated 19 February 1960, the United Kingdom Government asked the Director-General of the ILO to submit a request to the Governing Body that the Federation of Nigeria, the Federation of Rhodesia and Nyasaland, Singapore and The West Indies, be invited to send tripartite observer delegations to the forty-fourth session of the Conference and stated that a supplementary request might be made later on behalf of Sierra Leone.<sup>7</sup>

<sup>5</sup> International Labour Office, *Constitution of the International Labour Organisation*, 1955 edition, p. 5.

<sup>6</sup> See A/AC.35/SR.221, p. 14.

<sup>7</sup> International Labour Office, G.B. 144/17/33.

9. By a letter dated 29 February 1960, the Belgian Government also asked the Director-General to request the Governing Body to invite the Territories of Belgian Congo and Ruanda-Urundi to send similar delegations to the forty-fourth session of the Conference.<sup>7</sup>

10. At its 144th session, in March 1960, the Governing Body decided to invite these Territories to send tripartite delegations of observers to the forty-fourth session of the International Labour Conference, to be held at Geneva in June 1960.<sup>8</sup>

*International Civil Aviation Organization (ICAO)*

*International Bank for Reconstruction and Development (IBRD)*

*International Monetary Fund (IMF)*

*International Finance Corporation (IFC)*

*International Atomic Energy Agency (IAEA)*

11. The Convention of ICAO, the Articles of Agreements of IBRD and of IMF, the Charter of IFC, and the Statute of IAEA do not provide for associate membership for Non-Self-Governing Territories.

B. *Agencies whose constitutions provide for associate membership for the Territories*

*Food and Agriculture Organization of the United Nations (FAO)*

12. The Constitution of the Food and Agriculture Organization provides<sup>9</sup> that the Conference may admit as an associate member of the organization any territory or group of territories which is not responsible for the conduct of its international relations upon application made on its behalf by the member nation or authority having responsibility for its international relations. For both associate and full membership applications, a two-thirds majority of the votes cast is required for admission.

13. Associate members have the right to participate in the deliberations of the Conference, its commissions and committees, and may participate in the deliberations of sub-commissions, sub-committees or subsidiary working parties without, in each instance, the right to hold office or to vote.<sup>10</sup>

14. At its tenth session from 31 October to 20 November 1959, the Conference admitted as an associate member of the organization the Federation of Rhodesia and Nyasaland. Cyprus and the Federation of Nigeria were admitted as associate members until accession to independence and thereafter as full members of the organization.<sup>11</sup>

*United Nations Educational, Scientific and Cultural Organization (UNESCO)*

15. Article II, paragraph 3, of the Constitution of UNESCO, which was adopted by the General Conference at its sixth session in 1951, provides that

“3. Territories or groups of territories which are not responsible for the conduct of their international

<sup>8</sup> See A/AC.35/SR.221, p. 6.

<sup>9</sup> FAO, *Constitution, Rules adopted by the Conference, Financial Regulations and Rules of Procedure for the Council*, tenth edition (1958), p. 3, art. II, para. 3.

<sup>10</sup> *Ibid.*, p. 3, art. III, para. 1; p. 37, rule XII, para. 28; pp. 37-38, rule XIII, para. 3; p. 38, rule XIV, para. 1; p. 39, rule XV, para. 1; p. 65, rule XXXII, para. 1.

<sup>11</sup> FAO, *Report of the Tenth Session of the Conference*, resolutions No. 89/59, 92/59 and 93/59.

relations may be admitted as Associate Members by the General Conference by a two-thirds majority of Members present and voting, upon application made on behalf of such territories or group of territories by the Member or other authority having responsibility for their international relations. The nature and extent of the rights and obligations of Associate Members shall be determined by the General Conference."<sup>12</sup>

16. At the same session, the General Conference adopted a resolution<sup>13</sup> defining the rights and obligations of associate members. Under this resolution, associate members have the right to participate in the deliberations of the Conference, its committees, commissions and other subsidiary organs without the right to vote; to propose items for inclusion in the provisional agenda of the Conference; to receive notices, documents, reports and records; to participate in the procedure for convening special sessions; to submit proposals to the Executive Board, and to participate in committees established by it, but without being eligible for membership of the Board. The resolution also states: "... Associate Members shall be subject to the same obligations as Members, except that the difference in their status shall be taken into account in determining the amount of their contribution to the budget of the organization".

17. As of 28 February 1959, the associate members of UNESCO were the Federation of Nigeria, Sierra Leone, Singapore-British Borneo Group and The West Indies.<sup>14</sup>

#### *World Health Organization (WHO)*

18. Article 8 of the Constitution of the World Health Organization provides that "Territories or groups of territories which are not responsible for the conduct of their international relations may be admitted as Associate Members by the Health Assembly upon application made on behalf of such territory or group of territories by the Member or other authority having responsibility for their international relations. Representatives of Associate Members to the Health Assembly should be qualified by their technical competence in the field of health and should be chosen from the native population. The nature and extent of the rights and obligations of Associate Members shall be determined by the Health Assembly."<sup>15</sup>

19. These rights and obligations of associate members in the Assembly and Executive Board were defined in 1948 by the First World Health Assembly.<sup>16</sup> The associate members have the right to participate without vote in the deliberations of the Health Assembly and its main Committees; to participate with vote and to hold office in other committees or sub-committees of the Assembly, except the General Committee, the Committee on Credentials and the Nominations Committee; to propose items for inclusion in the provisional agenda of the Assembly; and, subject to the limitation on voting, to participate equally with members in matters pertaining to the conduct of business of meetings of the Health Assembly and its committees. Associate members, equally with members, have the right to receive

all notices, documents, reports and records; to participate in the procedure for convening special sessions; to submit proposals to the Executive Board and to participate in accordance with regulations established by the Board in committees established by it, but without being eligible for membership on the Board. Associate members are subject to the same obligations as members, except that the difference in their status is taken into account in determining the amount of their contribution to the budget of the Organization.<sup>17</sup>

20. Associate members may participate in regional committees in accordance with articles 8 and 47 of the Constitution. They have all rights and obligations in the regional organizations, with the exception that they have no vote in plenary meetings of the regional committee, nor in any subdivisions dealing with finance or constitutional matters. In recommending any additional appropriation, the regional committee takes account of the difference in status between States Members, on the one hand, and associate members and other territories or groups of territories not responsible for the conduct of their international relations, on the other.<sup>18</sup>

21. The associate members of the World Health Organization as of 4 May 1960 include the Federation of Nigeria (9 May 1956), the Federation of Rhodesia and Nyasaland (14 May 1954), and Sierra Leone (9 May 1956).<sup>19</sup>

#### *Inter-Governmental Maritime Consultative Organization (IMCO)*

22. The Convention on the Intergovernmental Maritime Consultative Organization,<sup>20</sup> which came into force on 17 March 1958, provides in article 9, that: "Any territory or group of territories to which the Convention has been made applicable under Article 58, by the Member having responsibility for its international relations or by the United Nations, may become an Associate Member of the Organization by notification in writing given by such Member or by the United Nations, as the case may be, to the Secretary-General of the United Nations." Article 58 (a) provides that "Members may make a declaration at any time that their participation in the Convention includes all or a group or a single one of the territories for whose international relations they are responsible."

23. Article 10 provides that an associate member has the rights and obligations of a member under the Convention but without the right to vote in the Assembly or eligibility for membership on the Council or on the Maritime Safety Committee.

24. The instrument of ratification deposited by Belgium on 9 August 1951 expressly excludes the application of the Convention to the Territories of Belgian Congo and Ruanda-Urundi, while the notice received on 12 July 1951 from the Netherlands states that the participation of the Netherlands in the Convention includes among other territories Netherlands New Guinea.<sup>21</sup>

25. As of March 1960, the Federation of Nigeria was the only associate member of IMCO.

<sup>12</sup> UNESCO, *Conference Manual* (Paris, 1959), p. 6.

<sup>13</sup> UNESCO, *Records of the General Conference, Sixth Session, Resolutions* (Paris, 1951), pp. 83-84.

<sup>14</sup> UNESCO, *Conference Manual* (Paris, 1959), p. 72.

<sup>15</sup> WHO, *Basic Documents*, tenth edition (Geneva, 1959), p. 6.

<sup>16</sup> WHO, *Official Records, No. 13* (Geneva, 1948), pp. 100 and 337.

<sup>17</sup> WHO, *Basic Documents*, tenth edition (Geneva, 1959), pp. 21-22.

<sup>18</sup> *Ibid.*, p. 24.

<sup>19</sup> *Ibid.*, p. 145.

<sup>20</sup> United Nations, *Treaty Series*, vol. 289 (1958), pp. 48 et seq.

<sup>21</sup> *Ibid.*, p. 48.

*C. Agency whose constitution provides for both ordinary membership and associate membership for the Territories*  
*International Telecommunication Union (ITU)*

26. The International Telecommunication Convention<sup>22</sup> provides for both ordinary membership and associate membership for Non-Self-Governing Territories in the Union.

27. Article 1, paragraph 2 (a) of the Convention states that members of the Union include "any country or group of territories listed in Annex 1 upon signature and ratification of, or accession to, this Convention, by it or on its behalf". The countries and territories listed in annex 1 to the Convention included the Belgian Congo and the Territory of Ruanda-Urundi; the Federation of Rhodesia and Nyasaland; territories of the United States of America; and overseas territories for the international relations of which the United Kingdom of Great Britain and Northern Ireland is responsible.

28. Under article 1, sub-paragraphs 3 (a) and (c) of the Convention, associate members of the Union include "any country, territory or group of territories listed in Annex 2, upon signature and ratification of, or accession to, this Convention, by it or on its behalf"; and "any territory or group of territories, not fully responsible for the conduct of its international relations, on behalf of which a Member of the Union has signed and ratified or acceded to this Convention in accordance with Articles 18 or 19, provided that its application for Associate Membership is sponsored by such a Member, after the application has received approval by a majority of the Members of the Union". The group of Territories listed in annex 2 include British West Africa; British East Africa; Bermuda-British Caribbean Group; Singapore-British Borneo Group.

29. According to article 2, paragraph 2, of the Convention associate members of the Union do not have the right to vote in any conference or other organ of the Union; they do not have the right to nominate candidates to the International Frequency Registration Board; and they are not eligible for election to the Administrative Council.

*D. Agencies whose constitutions provide for ordinary membership for the Territories*

*Universal Postal Union (UPU)*

30. Among the signatories of the Universal Postal Convention, revised at Ottawa in 1957,<sup>23</sup> are the following countries and territories, which are considered as forming a single member country of the Union or a single postal administration of a member country, as the case may be, within the meaning of the Convention and of the Agreements as regards, in particular, their right to vote at congresses and conferences, and in the interval between meetings, and also their contribution to the expenditure of the Union: the whole of the Territories of the United States, including the Trust Territory of the Pacific Islands; the Belgian Congo; the Spanish Territories in Africa; Algeria; the whole of the Territories represented by the French Office of Overseas Posts and Telecommunications; the whole of the British overseas territories, including colonies, pro-

tectorates and Territories under trusteeship exercised by the United Kingdom of Great Britain and Northern Ireland; the Trust Territory of Somaliland under Italian administration; the Netherlands Antilles and Surinam; the Portuguese provinces in West Africa; the Portuguese provinces in East Africa, Asia and Oceania.

31. Article 5, paragraph 1, of the Convention provides that any member country may declare, either at the time of signature, ratification or application for admission, or later, that its acceptance of the Convention and, where appropriate, of the Agreements, includes all of the territories for whose international relations it is responsible, or certain of them only. The Convention applies only to those territories for whose international relations a member country is responsible and in respect of which the declarations required under paragraph 1 have been made. However, the provisions of article 5 do not apply to any territory for whose international relations a member country is responsible and which figures in article 4 of the Convention.

*World Meteorological Organization (WMO)*

32. Under article 3, paragraphs (d) and (e) of the Convention of the World Meteorological Organization,<sup>24</sup> done at Washington on 11 October 1947, membership in the organization is open to:

"(d) Any territory or group of territories maintaining its own Meteorological Service and listed in Annex II attached hereto, upon application of the present Convention on its behalf, in accordance with paragraph (a) of Article 34, by the State or States responsible for its international relations and represented at the Conference of Directors of the International Meteorological Organization convened at Washington, D.C., on September 22, 1947, as listed in Annex I of the present Convention;

"(e) Any territory or group of territories, not listed in Annex II of the present Convention, maintaining its own Meteorological Service but not responsible for the conduct of its international relations, on behalf of which the present Convention is applied in accordance with paragraph (b) of Article 34, provided that the request for membership is presented by the Member responsible for its international relations, and secures approval by two-thirds of the Members of the Organization..."

33. Paragraphs (a) and (b) of article 34 read as follows:

"(a) Any contracting State may declare that its ratification of, or accession to, the present Convention includes any territory or group of territories for the international relations of which it is responsible.

"(b) The present Convention may at any time thereafter be applied to any such territory or group of territories upon a notification in writing to the Government of the United States of America and the present Convention shall apply to the territory or group of territories on the date of the receipt of the notification by the Government of the United States of America, which will notify each signatory and acceding State thereof."

34. States represented at the Conference of Directors of the International Meteorological Organization convened at Washington, D.C., on 22 September 1947

<sup>22</sup> General Secretariat of the International Telecommunication Union, *International Telecommunication Convention* (Geneva, 1959).

<sup>23</sup> Union postale universelle, *Documents du Congrès d'Ottawa, 1957*, Tome III (Berne, 1958), pp. 11 et seq.

<sup>24</sup> WMO, *Basic Documents* (Geneva, 1959), pp. 5 et seq.

and listed in annex I included: Australia, Belgium, France, the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

35. Territories or groups of territories listed in annex II which maintained their own meteorological services and of which the States responsible for their international relations were represented at the above-mentioned Conference included: Belgian Congo, Bermuda, British East Africa, British Guiana, British West Africa, French Equatorial Africa, French Somaliland, French West Africa, Hong Kong, Jamaica, Madagascar, Mauritius.

36. As at 29 March 1960, the membership of the World Meteorological Organization included the following territories and groups of territories: Belgian Congo; British East African Territories including Seychelles; British West African Territories; the Federation of Rhodesia and Nyasaland; Hong Kong; Mauritius; Netherlands New Guinea; Singapore and the British Territories in Borneo; The West Indies; Bahamas; British Guiana; British Honduras; and the British Virgin Islands.

## II. UNITED NATIONS REGIONAL ECONOMIC COMMISSIONS

### *Economic Commission for Europe (ECE)*

37. The terms of reference of the Economic Commission for Europe, established by Economic and Social Council resolution 36 (IV) of 28 March 1947, do not provide for associate membership in the Commission. The members of the Commission are the European Members of the United Nations, the United States of America, and the Federal Republic of Germany, which became a member of the Commission on 21 February 1956 pursuant to Economic and Social Council resolution 594 (XX). Switzerland participates in a consultative capacity in the work of the Commission.

### *Economic Commission for Asia and the Far East (ECAFE)*

38. The Economic Commission for Asia and the Far East was established by Economic and Social Council resolution 37 (IV) of 28 March 1947. The Commission was authorized by paragraph 1 (b) of its terms of reference as contained in that resolution to "Make or sponsor such investigations and studies of economic and technological problems and developments within territories of Asia and the Far East as the Commission deems appropriate".

39. The terms of reference of the Commission provided that: "2. The territories of Asia and the Far East referred to in paragraph 1 shall include in the first instance, British North Borneo, Brunei and Sarawak, Burma, Ceylon, China, India, Indo-Chinese Federation, Hong Kong, Malayan Union and Singapore, Netherlands Indies, Philippine Republic and Siam".

40. It was further provided that: "3. The members of the Commission shall, in the first instance, consist of Australia, China, France, India, Netherlands, Philippine Republic, Siam, Union of Soviet Socialist Republics, United Kingdom, and the United States of America, provided that any State in the area which may hereafter become a Member of the United Nations shall be thereupon admitted as a member of the Commission".

41. In the same resolution, the Council requested the Commission to appoint at its first session a com-

mittee of the whole to consider and to submit its recommendations to the fifth session of the Council concerning, *inter alia*,

"(a) The membership of the Commission, including the provisions to be made for associating with the work of the Commission any territory or group of territories in the area that may be proposed from time to time by the member Government responsible for the international relations of such territory or group of territories".

42. The Committee of the Whole considered proposals regarding the provisions to be made for associating with the work of the Commission territories within the geographical scope of the Commission. These proposals included: firstly, full membership; secondly, associate membership without voting rights; and thirdly, participation in a consultative capacity in the consideration of any matter of particular concern to a territory which was not a member or an associate member of the Commission.<sup>25</sup>

43. The Committee accepted the principle of associate membership and that of a consultative status for certain territories. Accordingly, it recommended to the Economic and Social Council the following addition to the terms of reference of the Commission:

"3A (i) Any of the following territories, namely North Borneo, Brunei and Sarawak, Burma, Ceylon, the Indo-Chinese Federation, Hong Kong, the Malayan Union and Singapore, and the Netherlands Indies, or any part or group of such territories, may on presentation of its application to the Commission by the Member responsible for the international relations of such territories, part or group of territories, be admitted by the Commission as an associate member of the Commission. If it has become responsible for its own international relations, such territory, part or group of territories may be admitted as an associate member of the Commission on itself presenting its application to the Commission.

"(ii) Representatives of associate members shall be entitled to participate without vote in all meetings of the Commission, whether sitting as Commission or as Committee of the Whole.

"(iii) Representatives of associate members shall be eligible to be appointed as members of any committee, or other subordinate body, which may be set up by the Commission and shall be eligible to hold office in such body.

"(iv) Any territory or part or group of territories mentioned in paragraph 3A (i) which is not a member or an associate member of the Commission may, with the concurrence of the Member responsible for its international relations, be invited by the Commission to participate in a consultative capacity in the consideration of any matter of particular concern to that territory, part or group of territories."<sup>26</sup>

44. By resolution 69 (V) of 31 July 1947, the Economic and Social Council incorporated the Committee's recommendations into the terms of reference of the Economic Commission for Asia and the Far East. In the same resolution, the Council, recognizing the necessity for ensuring complete co-operation between the Governments of the territories concerned, the Gov-

<sup>25</sup> *Official Records of the Economic and Social Council, Fifth Session, Supplement No. 6 (E/491), annexes 1-4, pp. 24-27.*

<sup>26</sup> *Ibid.*, pp. 21-22.

ernments responsible for the conduct of international relations of the territories and the Commission, requested members of the Commission concerned to forward applications for associate membership to the Commission.

45. The Commission, at its second session, held at Baguio from 24 November to 9 December 1947, admitted a number of associate members, among them Hong Kong, and Malaya and British Borneo, which included Brunei, North Borneo, Sarawak and Singapore. At its sixteenth session, held at Bangkok from 9 to 21 March 1960, the Commission admitted Brunei and Singapore as separate associate members and North Borneo and Sarawak as a joint associate member.

46. The terms of reference of the Economic Commission for Asia and the Far East have been amended on several occasions, particularly the provisions regarding its geographical scope, its membership and associate membership. These provisions now read:

"2. The territories of Asia and the Far East... shall include Afghanistan, Brunei, Burma, Cambodia, Ceylon, China, the Federation of Malaya, Hong Kong, India, Indonesia, Iran, Japan, Korea, Laos, Nepal, North Borneo, Pakistan, the Philippines, Sarawak, Singapore, Thailand and Viet-Nam.

"3. The members of the Commission shall consist of Afghanistan, Australia, Burma, Cambodia, Ceylon, China, the Federation of Malaya, France, India, Indonesia, Iran, Japan, Korea, Laos, Nepal, the Netherlands, New Zealand, Pakistan, the Philippines, Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Viet-Nam, provided that any State in the area which may hereafter become a Member of the United Nations shall be thereupon admitted as a member of the Commission.

"4. The associate members shall include Brunei; Hong Kong; North Borneo and Sarawak; and Singapore.

"5. Any territory, part or group of territories within the geographical scope of the Commission as defined in paragraph 2 may, on presentation of its application to the Commission by the member responsible for the international relations of such territory, part or group of territories, be admitted by the Commission as an associate member of the Commission. If it has become responsible for its own international relations, such territory, part or group of territories, may be admitted as an associate member of the Commission on itself presenting its application to the Commission.

"6. Representatives of associate members shall be entitled to participate without vote in all meetings of the Commission, whether sitting as Commission or as Committee of the Whole.

"7. Representatives of associate members shall be eligible to be appointed as members of any committee, or other subordinate body, which may be set up by the Commission and shall be eligible to vote and hold office in such body.

"8. The Commission is empowered to make recommendations on any matters within its competence directly to the Governments of members or associate members concerned, Governments admitted in con-

sultative capacity, and the specialized agencies concerned..."<sup>27</sup>

#### *Economic Commission for Latin America (ECLA)*

47. The Economic Commission for Latin America was established by Economic and Social Council resolution 106 (VI) of 25 February and 5 March 1948 with terms of reference similar to those of the Economic Commission for Asia and the Far East. Parts of the terms of reference of the Commission which relate to membership, associate membership and the geographical scope of the Commission's work are the following:

"3 (a) Membership of the Commission shall be open to Members of the United Nations in North, Central and South America, and in the Caribbean area, and to France, the Netherlands and the United Kingdom. Any territory, or part or group thereof, within the geographic scope of the Commission's work, may, on presentation of its application to the Commission by the Member responsible for the international relations of such territory, part or group of territories, be eligible for admission by the Commission as an associate member of the Commission. If it has become responsible for its own international relations, such territory, part or group of territories, may be admitted as an associate member of the Commission on itself presenting its application to the Commission.

"(b) Representatives of associate members shall be entitled to participate without vote in all meetings of the Commission, whether sitting as Commission or as Committee of the Whole.

"(c) Representatives of associate members shall be eligible to be appointed as members of any committee, or other subordinate body which may be set up by the Commission and shall be eligible to hold office in such body.

"4. The geographical scope of the Commission's work is the twenty Latin-American States Members of the United Nations, participating territories in Central and South America which have frontiers adjoining any of these States, and participating territories in the Caribbean area.

"5. The Commission is empowered to make recommendations on any matter within its competence directly to the Governments of members or associate members concerned, Governments admitted in a consultative capacity, and the specialized agencies concerned..."

48. On 28 March 1960, at its seventh session, the Committee of the Whole of the Economic Commission for Latin America admitted the West Indies and British Guiana as associate members of the Commission, in accordance with paragraph 3 of its terms of reference. These are the only territories within the geographical scope of the Commission's work which have so far been admitted as associate members of the Commission.

#### *Economic Commission for Africa (ECA)*

49. The Economic Commission for Africa was established by Economic and Social Council resolution 671A (XXV) of 29 April 1958. The terms of reference of the Commission include the following provisions relating to the geographical scope of the Commission's work, its membership and associate membership:

<sup>27</sup> *Ibid.*, *Thirtieth Session, Supplement No. 2*, p. 73.

"2. The Commission is empowered to make recommendations on any matter within its competence directly to Governments of the members or associate members concerned, to Governments admitted in a consultative capacity, and to the specialized agencies...

"...

"4. The geographical scope of the Commission's work shall be the whole continent of Africa, Madagascar and other African islands.

"5. Membership of the Commission shall be open to: Belgium, Ethiopia, France, Ghana, Italy, Liberia, Libya, Morocco, Portugal, Spain, Sudan, Tunisia, the Union of South Africa, the United Arab Republic, and the United Kingdom of Great Britain and Northern Ireland, and to any State in the area which may hereafter become a Member of the United Nations, provided that States which shall cease to have any territorial responsibilities in Africa shall cease to be members of the Commission.

"6. Any territory, or part or group thereof, within the geographical scope of the Commission's work may, on presentation of its application to the Commission by the Member responsible for the international relations of such territory, part or group of territories, be admitted by the Commission as an associate member of the Commission. If it has become responsible for its own international relations, such territory, part or group of territories, may be admitted as a member of the Commission on itself presenting its application to the Economic and Social Council through the Commission.

"7. The following territories are admitted as associate members of the Commission in accordance with paragraph 6 above, without prejudice to applications which may be presented on behalf of other territories: the Federation of Nigeria, Gambia, Kenya and Zanzibar, Sierra Leone, Somaliland Protectorate, Tanganyika, Uganda.

"8. Representatives of associate members shall be entitled to participate without vote in all meetings of the Commission, whether sitting as commission or as committee of the whole.

"9. Representatives of associate members shall be eligible to be appointed as members of any committee or any other subordinate body which may be set up by the Commission, and to hold office in such bodies."

50. In part B of resolution 671 (XXV), the Council, recognizing the necessity for ensuring complete co-operation between the Governments of the territories concerned, the Governments responsible for the conduct of the international relations of these territories, and the Commission, requested the members of the Commission concerned to complete as soon as possible the initial list of associate members in paragraph 7 of the Commission's terms of reference for admission by the Council not later than at its twenty-sixth session.

51. At its twenty-sixth session, the Council admitted the Trust Territory of Somaliland as an associate member of the Commission.

52. In its resolution 1327 (XIII) of 12 December 1958, the General Assembly expressed the hope that all African Territories would apply for associate membership in the Commission through the Member States responsible for their administration, and requested the Member States concerned to expedite such applications for associate membership.

53. The Economic Commission for Africa, at its second session, held in Tangier from 26 January to 6 February 1960, admitted the Belgian Congo and Ruanda-Urundi as associate members of the Commission. As of that date, the associate members of the Commission were: the Belgian Congo and Ruanda-Urundi; the Federation of Nigeria, Gambia; Kenya and Zanzibar; Sierra Leone; the Trust Territory of Somaliland under Italian administration; Somaliland under United Kingdom administration; Tanganyika; and Uganda.

54. At its second session, the Commission adopted a resolution in which it invited all Member States to implement General Assembly resolution 1466 (XIV) during the current year. It further requested "... members with responsibility for territories in Africa or members responsible for the external relations of African countries to consult forthwith with the Governments concerned and to ascertain whether they wish to become associate members of the Commission and to inform the Executive Secretary of the views of the Government of each country or territory concerned".<sup>28</sup>

### III. COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

55. The question of the direct participation of the Non-Self-Governing Territories in the work of the Committee on Information has been a subject of studies and recommendations by the Committee and by the General Assembly since 1951.

56. The form of participation as first envisaged by the Fourth Committee was that of associate membership of the Non-Self-Governing Territories in the Committee on Information similar to the practices of the specialized agencies and regional economic commissions. The proposal for associate membership in the Committee was objected to by some of the members concerned on the ground that it would constitute dual representation.

57. In resolution 566 (VI) of 18 January 1952, the General Assembly considered that the direct association of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies was "an effective means of promoting the progress of the peoples of those Territories towards a position of equality with Member States of the United Nations", and invited the Committee on Information to examine the possibility of associating the Non-Self-Governing Territories more closely in its work and to report to the General Assembly on the results of this examination.

58. In 1952, the Committee on Information examined the methods whereby the closer association of the Non-Self-Governing Territories in its work could be effected, while maintaining the principle of unity of representation. The Administering Members continued to maintain that associate membership constituted dual representation, and that the Charter requirements for membership precluded the creation of associate membership in a committee of the General Assembly. The Committee was unable to submit an agreed recommendation on the subject to the General Assembly.

59. The question was taken up by the Fourth Committee and on its recommendation the General Assembly adopted resolution 647 (VII) of 10 December 1952. By this resolution, the General Assembly considered it desirable that there be associated in the work of the Committee on Information qualified indigenous rep-

<sup>28</sup> *Ibid.*, Supplement No. 10, p. 16, resolution 5 (II).

representatives from Non-Self-Governing Territories, and invited the Administering Members to make such participation possible. It also invited the Committee on Information to study further the question of the direct participation, in its discussions on economic, social and educational conditions, of representatives of those Territories the inhabitants of which had attained a large measure of responsibility for economic, social and educational policies, and to include recommendations on the question in its report to the General Assembly.

60. In accordance with this resolution, the Committee on Information again examined the problem and submitted a recommendation which was adopted by the General Assembly in resolution 744 (VIII) of 27 November 1953. In this resolution, the General Assembly invited the Member States responsible for the administration of Non-Self-Governing Territories the inhabitants of which had attained a large measure of responsibility for economic, social and educational policies, to attach to their delegations, without prejudice to the principle of unity of representation, indigenous representatives specially qualified to speak on these matters as they related to these Territories.

61. In 1954, the Committee on Information again considered the question of participation. A draft resolution (A/2729, part one, para. 87), by which the General Assembly would invite the Committee on Information to study the best means by which the participation of Non-Self-Governing Territories in the work of the Committee could be ensured, was submitted but no action was taken on it, and the question was postponed to its next session.

62. On the recommendation of the Committee on Information in 1955 in connexion with its renewal, the General Assembly included a paragraph in its resolution 933 (X) of 8 November 1955 by which it invited the Administering Members to attach to their delegations indigenous persons specially qualified to speak on economic, social and educational policies in Non-Self-Governing Territories. A similar request to the Administering Members was again addressed in General Assembly resolution 1332 (XIII) of 12 December 1958, adopted in connexion with the renewal of the Committee on Information for a further three-year period.

63. In connexion with the examination of the cessation of the transmission of information, representatives of the Territories concerned were attached to the delegations of Administering Members. In 1953, representatives from Puerto Rico were attached to the United States delegation; the Danish delegation in 1954 included representatives from Greenland; and the Netherlands delegation in 1955 included representatives from the Netherlands Antilles and Surinam. In addition, on one or two occasions persons from Non-Self-Governing Territories were attached to some delegations of the Administering Members to the Committee on Information as well as to the Fourth Committee of the General Assembly.

#### CONCLUDING NOTE

64. It has been shown in the foregoing paragraphs that most of the specialized agencies make provisions in their constitutions for associating Non-Self-Governing Territories in their work. These provisions vary from those for ordinary membership through associate membership to *ad hoc* participation in major conferences.

The constitutions of certain agencies on the other hand make no provision for any form of membership for, or participation of, Non-Self-Governing Territories.

65. With the exception of such agencies as the International Telecommunication Union, the Universal Postal Union, and the World Meteorological Organization, in which practically all Non-Self-Governing Territories are associated, the association of these Territories in the work of most of the specialized agencies, where provisions for such participation exist, is as yet far from being universal.

66. With the exception of the Economic Commission for Europe, the resolutions establishing each one of the three regional economic commissions provided for associate membership of Territories situated in the geographical scope of the work of the Commission concerned. In the terms of reference of the Economic Commission for Asia and the Far East and of the Economic Commission for Africa, in which an initial and by no means exhaustive enumeration of the Non-Self-Governing Territories in each region has been made, admission to associate membership was granted at the earliest stages of the activities of the Commission concerned. In the case of the Economic Commission for Latin America, the Territories eligible for associate membership were not enumerated in its terms of reference, and for the first time two Territories were admitted as associate members in the spring of 1960. There are still Non-Self-Governing Territories which are not associate members of the regional economic commissions concerned.

67. As has been shown, the question of the participation of the Non-Self-Governing Territories in the work of the Committee on Information has been a subject of continued concern for the Committee and the General Assembly. This concern was again re-emphasized in paragraph 3 of General Assembly resolution 1466 (XIV) which gave rise to the present report.

#### Document A/4472/Add.1

[Original text: English]  
[19 October 1960]

By a letter dated 14 October 1960, the following information<sup>29</sup> has been transmitted to the Secretary-General:

"The Director-General [of UNESCO] has . . . received a letter from the Under-Secretary of State for Foreign Affairs, dated 21 July 1960, informing him that Her Majesty's Government in the United Kingdom wish to submit to UNESCO under Article II.3 an application on behalf of the Territory of Mauritius for Associate Membership of the Organization.

"The letter reads as follows:

"I am directed by Mr. Secretary Lloyd to state that, in accordance with Article II, paragraph 3, of the Constitution of the United Nations Educational, Scientific and Cultural Organization, Her Majesty's Government in the United Kingdom wish to make application for the admittance as an Associate Member of the United Nations Educational, Scientific and Cultural Organization of the Territory of Mauritius, for the conduct of whose international relations Her Majesty's Government are responsible.

<sup>29</sup> UNESCO General Conference document 11 C/28, paras. 3-4.

"I am to declare on behalf of Her Majesty's Government in the United Kingdom that the Government of Mauritius is prepared to assume the obligations of an Associate Member as determined by the General Conference of UNESCO.

"I am further to request that an invitation may be transmitted through Her Majesty's Government in the United Kingdom to the Government of Mauritius to send a delegation to the eleventh session of the General Conference'."

## DOCUMENTS A/4473\* AND ADD.1-3

### Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

#### Report of the Secretary-General

#### Document A/4473\*

[Original text: English]  
[6 September 1960]

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#### INTRODUCTION

1. In resolution 845 (IX) of 22 November 1954, the General Assembly invited Member States to extend generously to the inhabitants of Non-Self-Governing Territories their offers of facilities not only for study and training of university standard but, in the first place, for study at the post-primary levels as well as technical and vocational training of immediate practical value. The General Assembly requested the Secretary-General to establish a simple procedure for bringing to the attention of the Administering Members offers and applications made through the United Nations and the specialized agencies and for transmitting the applications to the offering States concerned, together with any observations of the Administering Members. Further, the General Assembly invited the Administering Members to give appropriate publicity in Territories under their administration to offers of study and training facilities and to take such other measures as would ensure that the greatest possible advantage was taken of the offers.

2. The present report is submitted in compliance with the above resolution, and with resolutions 931 (X) of 8 November 1955, 1154 (XII) of 26 November 1957, 1331 (XIII) of 12 December 1958 and 1471 (XIV) of 12 December 1959. In the operative part of the last-mentioned resolution, the General Assembly, *inter alia*: reaffirmed its resolution 1331 (XIII) of 12 December 1958, and invited the Administering Members to take all necessary measures consistent with the interests and needs of the Non-Self-Governing Territories and their peoples to ensure that scholarships and training facilities offered by Member States might be utilized by the in-

habitants of those Territories, and to render every assistance to those persons who had applied for, or had been granted, scholarships or fellowships, particularly with regard to facilitating their travel formalities; requested all Administering Members which had not done so to give the fullest publicity in the Non-Self-Governing Territories under their administration to all offers of study and training facilities made by Member States; requested the Member States offering scholarships to take into account the necessity of furnishing complete information about scholarships offered, and, whenever possible, the need to provide travel funds to prospective students; requested the Secretary-General to give such assistance as possible and as might be sought by Member States concerned and by the applicants; requested the Secretary-General to prepare for the fifteenth session of the General Assembly a report concerning the actual use of scholarships and training facilities offered by Member States to students from Non-Self-Governing Territories.

3. This report supplements the information supplied to the General Assembly at its previous sessions<sup>30</sup> and gives a review of problems in connexion with the actual use of scholarships offered by Member States under resolution 845 (IX) as well as progress achieved in the implementation of the resolutions subsequently adopted by the General Assembly on the subject.

4. In addition, the report gives, as in previous years, information on offers and awards of scholarships made to students from Non-Self-Governing Territories under national and regional schemes.

#### I. OFFERS

5. A detailed description of the scholarships offered by eighteen Member States up to 13 November 1959 was presented to the General Assembly at its fourteenth session (A/4196 and Add.1). Since that date the following offers have been made.

6. By a note dated 15 March 1960, the Permanent Representative of Italy informed the Secretary-General that the Government of Italy offered ten scholarships to students from Non-Self-Governing and Trust Territories for the academic year 1960-1961, and that these scholarships would be increased by the number offered last year which had not been assigned to candidates. These scholarships are available for attendance at courses of a scientific

<sup>30</sup> Official Records of the General Assembly, Tenth Session, Annexes, agenda items 31 and 33, documents A/2937 and Add.1-4; *ibid.*, Eleventh Session, Annexes, agenda item 34, documents A/2937/Add.5, A/3165 and Add.1-4; *ibid.*, Twelfth Session, Annexes, agenda item 35, documents A/3618 and Add.1; *ibid.*, Thirteenth Session, Annexes, agenda item 36, documents A/3917/Rev.1 and Add.1; and *ibid.*, Fourteenth Session, Annexes, agenda item 36, documents A/4196 and Add.1.

\* Incorporating document A/4473/Corr.1.

and technical nature in Italian universities and institutes of higher learning and may be renewed when the academic performance of the student so justifies. The conditions of the present offer are the same as those of last year; they are described in the report for that year (A/4195 and Add.1). Applications for these scholarships were to be submitted not later than 30 June 1960.

7. At the tenth session of the General Assembly, Czechoslovakia offered twenty scholarships for students from Trust and Non-Self-Governing Territories. By a letter dated 29 April 1960, the Secretary-General was informed that for 1959-1960, fifteen such scholarships had been offered, which were in addition to a total of thirty-five scholarships offered since 1956-1957, making a total of seventy scholarships offered for the period from 1956-1961. The scholarships are for university studies, tenable for four to six years, and include a sum for personal expenses, board and lodging and free medical care. Round-trip travel expenses are also included in the scholarships.

8. By a note of 26 April 1960, the Permanent Representative of the Hungarian People's Republic informed the Secretary-General that the offer of five scholarships to students from Non-Self-Governing and Trust Territories made by a note dated 24 September 1958 for the academic year 1959-1960 had been increased to ten scholarships for the academic year 1960-1961. These scholarships are for university studies and include one year's language training; they will now include also one-year courses of preliminary training in cases where this seems necessary. It was explained that this additional offer had been made since the forty-five applications received showed that a lack of adequate previous training existed among a considerable part of the applicants. More than 90 per cent of these applications arrived in Hungary too late to enable the authorities to accept the students for the academic year 1959-1960. On the basis of these forty-five applications, the selection of ten students for the year 1960-1961 was to be completed by the end of May 1960.

9. By a note of 2 May 1960, the Permanent Representative of the Union of Soviet Socialist Republics informed the Secretary-General that the Government of the USSR had established in Moscow a University of Friendship among Nations. The University will admit, among others, inhabitants of Trust and Non-Self-Governing Territories. An enrolment of 500 is contemplated for 1960, with the eventual enlargement of the student body to 3,000 or 4,000. The University will train specialists in the following fields: engineering, agriculture, medicine, physico-mathematical and natural sciences, economics and economic planning, history and philology, and international law.

10. The course of studies at the University will be of four years' duration; for the medical sciences, five years.

11. Persons who have not completed the necessary preparatory studies may be admitted to the University's preparatory division, where they may complete their general secondary education in one to three years. Persons who have had a general secondary education but who do not know the Russian language will also enter the preparatory division for up to one year, during which they will be taught Russian.

12. All costs in respect of tuition fees, scholarships, medical services, hostel accommodation and travel to and from the Union of Soviet Socialist Republics will be defrayed by the Soviet Union.

13. The Government of Turkey continued its offer, originally made in 1955 and renewed in 1958, of two scholarships for students from Trust and Non-Self-Governing Territories for vocational and technical training. By a note dated 13 April 1960, the Secretary-General was informed of a revision in the terms of the scholarships, which will include all tuition expenses, a monthly allowance of £T175, an annual allowance of £T350 (clothing and books) and an allowance of £T300 every two years for the purchase of an overcoat. Travel expenses to and from Turkey are not included in the scholarships. The awards previously comprised a monthly allowance of £T175, plus £T50 a year for various expenses, in addition to the tuition.

14. The Government of Yugoslavia continued its offer originally made in July 1955 and renewed in 1959 for students from Non-Self-Governing Territories. By a note of 21 April 1960, the Permanent Representative of the Federal People's Republic of Yugoslavia informed the Secretary-General that the Yugoslav Government had decided to pay, exceptionally, all expenses for transportation for students from Trust Territories as well as for students from Non-Self-Governing Territories from the place of residence of the student to Yugoslavia and return. Previously, the offer included the trip paid from Alexandria, Casablanca or Cairo for African students; and arrangements were to be made on an individual basis in the case of other students.

15. By a note dated 7 March 1960, the Permanent Representative of Tunisia informed the Secretary-General that it would prove very difficult to provide a serious course of study for students who had no knowledge of either the French or the Arabic language.

16. By a note dated 26 March 1960, the Permanent Representative of Mexico informed the Secretary-General that knowledge of the Spanish language was an essential qualification for applicants for the scholarships granted by the Government of Mexico under General Assembly resolution 845 (IX).

17. By a letter dated 31 May 1960, the Permanent Representative of the United States of America gave the Secretary-General detailed information regarding the programme administered by the United States. This information is shown in the annex to the present report.

18. A consolidated list of the scholarships made available by twenty Member States since the initiation of the scholarships scheme also appears in the annex to this report. The list incorporates additions announced during the year under review.

## II. AWARDS OF SCHOLARSHIPS AND USE MADE OF THE AWARDS

19. By a note dated 6 October 1959, the Secretary-General was informed that the Romanian Government had decided to award eighteen scholarships for the year 1959-1960. Nine of these scholarships were for students from Non-Self-Governing Territories (seven to students from Nigeria, one each to students from Kenya and Uganda). Three of the students from Nigeria (Mr. E. Abiodun, Mr. K. Adegoke and Mr. I. O. Omoyinmi) inquired of the Secretariat in January and February 1960 as to the status of their respective scholarships, since they had not heard from the offering State after the official notification in October 1959 that they had been awarded scholarships. These inquiries were forwarded to the Permanent Mission of the Romanian People's Republic. Another Nigerian applicant, Mr. I. T. Besong,

who was awarded a scholarship by the Romanian Government, informed the Secretary-General on 6 April 1960 that he had been unable to procure a passport for the purpose of accepting the Romanian scholarship. No information was received whether these scholarships were actually utilized.

20. By notes dated 29 February 1960 and 31 May 1960, the Permanent Representative of the United States of America informed the Secretary-General that during the academic year 1959-1960, 194 scholarships were awarded to students from Non-Self-Governing Territories, seventy-five of which were for the purposes of university study, fifty-one for teaching or teacher development, five for university lecturing, twenty-seven for practical experience and training and thirty-six for observation and consultation. Of the 194 students, 107 came from Africa, forty-eight from the Caribbean, six from Hong Kong, seventeen from Singapore and sixteen from Aden, Cyprus and Malta. For the academic year 1960-1961, the United States expects to award about 200 scholarships to persons from Non-Self-Governing Territories.

21. By a note dated 17 March 1960, the Secretary-General was informed that the Polish Government had awarded to students from Trust and Non-Self-Governing Territories seven of the ten scholarships offered in 1956. The recipient under General Assembly resolution 845 (IX) is Mr. I. Maboshe from Northern Rhodesia. Five applications were under consideration, two of which are from candidates from Nigeria and Northern Rhodesia.

22. By a note of 28 March 1960, the Permanent Representative of Ceylon informed the Secretary-General that the Government of Ceylon had selected Mr. I. John Udofa, of Nigeria, for a scholarship to study surveying and levelling, and Mr. Beresford Doring, of Sierra Leone, for a scholarship to pursue secondary education. The Government of Ceylon had asked for further details regarding the educational qualifications of Mr. Tunji Adegbite, of Nigeria, an applicant for a scholarship to study draughtsmanship.

23. By a note dated 29 April 1960, the Permanent Representative of Czechoslovakia informed the Secretary-General that during the academic year of 1959-1960, a total of thirty-four students from Non-Self-Governing Territories were studying in Czechoslovakia; of this number, fourteen began their studies during 1959-1960. Eight of these came from the Republic of the Congo (formerly the Belgian Congo), two from the Malagasy Republic (formerly Madagascar), two from the Ivory Coast and one each from Nigeria and Bechuanaland. The Permanent Representative further stated that: "This high measure of use of these offers was attained with big difficulties which are caused by the proceedings of the Administering Authorities. As in the last years the Administering Authorities obstructed also in this year the use of our offers by making difficulties when issuing travel documents. Many students were delayed in this way and they had to double their efforts in order to catch up the lost time."

24. By a letter dated 7 March 1960, the Permanent Representative of Tunisia informed the Secretary-General that of the ten scholarships offered for the academic year 1959-1960, four went to students from Non-Self-Governing Territories, while the remaining six were awarded to applicants from Trust Territories. Of the four recipients from Non-Self-Governing Territories, two are from the former French Sudan and

two from Nigeria. By a note of 16 May 1960, the Permanent Representative of Tunisia sent further information regarding the total number of scholarship-holders studying at present in Tunisia. Of these, twenty-five came from Non-Self-Governing Territories.

25. By a note dated 26 May 1960, the Permanent Representative of Hungary informed the Secretary-General that ten applicants from Trust and Non-Self-Governing Territories have been awarded scholarships for the academic year 1960-1961. Of these, seven are from Non-Self-Governing Territories. One scholarship each was awarded to applicants from British Guiana, Kenya and Uganda, and four scholarships to students from Nigeria.

26. In a letter dated 8 August 1960, Mr. Wilbert Washington Anok of Uganda informed the Secretary-General that he had been unable to obtain a passport for his trip to Hungary.

27. By notes dated 23 June and 16 August 1960, the Permanent Representative of the Federal People's Republic of Yugoslavia informed the Secretary-General that four students from Nigeria, Messrs. J. O. U. Unuigbo, F. X. Ochei, B. J. C. Mordi and D. Opadeji and one student from Kenya, Mr. E. O. Otuoro, had been awarded scholarships. In a letter dated 24 July 1960, Mr. Unuigbo informed the Secretary-General that he had difficulties in obtaining a passport to enable him to take up his scholarship in Yugoslavia.

28. By letter dated 10 July 1960, the Secretary-General was informed by Mr. S. O. Okullo, of Uganda, one of the scholarship-holders studying in the USSR, that he had discontinued his studies. The Secretary-General reported last year that by a note dated 4 August 1959, the Permanent Representative of the USSR had informed him that a fellowship for study at the Moscow Institute of Civil Engineering for the academic year 1958-1959 had been awarded to Mr. S. O. Okullo. In the same note, the Permanent Representative reported that Mr. Okullo had arrived in the USSR and had begun a preparatory Russian language course.

29. By a note dated 15 July 1960, the Permanent Representative of Italy informed the Secretary-General that eighteen applicants from Non-Self-Governing Territories had been awarded scholarships for the academic year 1960-1961. Six award-winners came from Nigeria: Messrs. Timothy Menekaya, Adekambi Adebawale and Raymond Anikwe are to study medicine, Mr. Reginald Ofoegbu, pharmacaceutics, Mr. Daniel Edo Awani, architecture, and Mr. Francis Osague, fine arts. From Kenya came Messrs. John Kalemera, David Muoka Mutiso, Isaiah Kitonga Mutuku and Ramzan Kasamali Boga; they will study medicine, architecture, agriculture and cement technology, respectively. Messrs. Abdul Rahim and Caruana Salvino, of Sierra Leone, received scholarships to study mechanics of locomotive and diesel engines and hygiene and medicine, respectively. Awards to study Roman history, fine arts, sculpture, jurisprudence, industrial design and Italian literature were given to Mr. Norman James Austin, Miss Teresa Cunningham Knowles, Miss Patricia Margaret McAllister, Mr. Christopher Kenneth Mitchell-Heggs, Mr. David Ceredwen and Miss Mavis Maria Davidson, all of the Federation of Rhodesia and Nyasaland.

30. By a note dated 22 July 1960, the Permanent Representative of Greece informed the Secretary-General that scholarships for studies in Greece had been tentatively granted by the Greek authorities to

Mr. Solomon Sofolawe, of Nigeria, and Messrs. Patrice Kambi, Jean Gilbert Djongo and Louis Bilolo, of the Republic of the Congo (formerly the Belgian Congo). The final awards will take place upon receipt of the observations which the administering Governments concerned were requested to provide.

31. By notes dated 8 and 10 August 1960, the Permanent Representative of Turkey informed the Secretary-General that Messrs. Adipo Gilbert Ogol, Nicholas P. B. Nyan G. Wory and James Koine, of Kenya; Mr. Henry Olugbeyega Abiola, of Nigeria, and Mr. Siddiq Arab, of Zanzibar, currently residing in Tanganyika, would be awarded the scholarships they requested. At the same time, the Secretary-General was informed that eleven applicants, two from the Republic of the Congo (formerly the Belgian Congo), one from Nigeria and eight from Kenya, could not be granted scholarships since they did not meet the minimum standards required.

32. By a note dated 16 July 1960, the Secretary-General, drawing the attention of the offering States to the relevant resolutions of the General Assembly, including resolution 931 (X), requested information regarding the extent to which use had been made of the scholarships offered by the Governments concerned and inquired whether the scholarships as originally offered, including those which remained unused, were still available.

33. In his note of 22 July 1960, the Permanent Representative of Greece stated that the scholarships to students from Non-Self-Governing Territories as originally offered by Greece would continue to be available as in the past.

34. By note dated 26 August 1960, the Permanent Representative of Brazil informed the Secretary-General that for 1961 the Government of Brazil has decided to offer one scholarship to a university graduate for postgraduate study at any Brazilian university. The scholarship is for ten months in the total value of \$US 850.00. In addition, the Brazilian Government will pay the travel expenses or offer travel facilities.

### III. PROCEDURE, APPLICATIONS AND PUBLICITY

35. In the operative part of its resolution 845 (IX), the General Assembly requested the Secretary-General, in consultation with the Administering Members and the specialized agencies concerned, to establish a simple procedure which would enable offers and applications made through the United Nations or the specialized agencies to be brought to the attention of the Administering Members, and thereafter, in the case of applications, to the attention of the offering States concerned, together with any observations the Administering Members might have submitted.

36. By a note of 24 March 1960, the Permanent Representative of the United Kingdom suggested a modified procedure for dealing with applications from students from Territories under United Kingdom administration. Under this modified procedure, applications received by the Secretary-General from students of these Territories have been forwarded at once to the offering State concerned and have not been held for a period of up to three months—as had been done previously—in order to await observations on the applicant's educational qualifications from the United Kingdom. At present, a copy of the application is transmitted to the United Kingdom at the same time as to the offering State. In addition, the Government of

the United Kingdom has indicated that it continues to be most ready to offer observations on the educational qualifications of any candidates to whom a Government is considering offering awards. These observations may be obtained by the offering State through whatever channel seems the most appropriate, e.g. by consultation between a representative of the offering State on the spot with the local Government concerned or between the respective Embassy in London and the United Kingdom Foreign Office.

37. This new procedure has been followed in respect of applications from Territories under United Kingdom administration received by the Secretary-General after 1 April 1960. It has simplified and expedited the processing of the applications.

38. Offers of facilities for study and training have been handled during the period under review according to established procedures, subject to some modification in the case of United Kingdom Territories. Offers made under General Assembly resolution 845 (IX) were communicated to the Administering Members concerned to enable them to give appropriate publicity in the Territories under their administration and to the United Nations Educational, Scientific and Cultural Organization for publication in *Study Abroad*.

39. The scholarships have been well publicized from the outset in the great majority of the Territories under the United Kingdom administration. It is evident from the growing number of inquiries and applications received during the period under review from almost all Non-Self-Governing Territories in Africa that information about the scholarship scheme is becoming more widely diffused. During the summer and autumn of 1959, the preponderance of applications emanated from Kenya. They did not decrease appreciably in the spring of 1960. The number of inquiries received from the Republic of the Congo before its independence exceeded those from Kenya during that period. In the Republic of the Congo, the Alliance des Bakongo transmitted to the Secretary-General requests from 271 students and stimulated Congolese students to apply individually for scholarships. The majority of the application forms mailed by the Secretariat to applicants of the Republic of the Congo have not been returned and a large percentage of the students who completed the forms did not qualify for the particular field of study requested. In Kenya, the Luo Student Union has been active in disseminating information on the scholarships throughout the Territory and has encouraged students to apply.

40. During the period under review, 4,127 students sent inquiries and asked for application forms (compared with 900 during the previous year<sup>31</sup> not counting about 300 letters of inquiry received from students of the Republic of the Congo (formerly the Belgian Congo) after the achievement of independence on 30 June 1960. Application forms were sent to 3,369 students; of these, 1,535 were returned to the Secretariat duly completed. One thousand one hundred and forty-two applications (as against 262 during the previous year)<sup>32</sup> were forwarded to the offering States according to established procedures—1,026 applications came from Territories under United Kingdom administration; 108 from the Republic of the Congo (formerly the Belgian Congo); three from Territories under

<sup>31</sup> See A/4196 and Add.1, para. 30.

<sup>32</sup> *Ibid.*, para. 29.

French administration and five from the United States Virgin Islands. The Secretariat rejected 398 applications because of lack of qualifications.

41. Summarizing the information received, the Secretary-General can state that during the period under review 221 (new) scholarships for the academic year 1959-1960 have been awarded and that thus far, 244 (new) scholarships have been assigned for the academic year 1960-1961. A good number of these award-winners have approached the offering State directly, and are not included in the figures given in the preceding paragraphs of this section.

#### IV. INFORMATION CONCERNING SCHOLARSHIPS MADE AVAILABLE TO THE INHABITANTS OF NON-SELF-GOVERNING TERRITORIES UNDER NATIONAL AND REGIONAL ARRANGEMENTS

##### A. *Scholarship-holders from Papua studying in Australia*

42. On 30 June 1959, 285 European children, fifty-two indigenous children and thirty-five children of mixed race as well as five Asian children received educational assistance for secondary schooling in Australia. An allowance of £A145 per annum plus an annual return fare is made in respect of non-Papuan children, and, through a special scholarship scheme, selected mixed-race children receive, in addition, up to £A200 per annum, subject to a means test.

43. The Administration scholarship scheme for Papuan children provides selected children with the full cost of education in Australian schools, including board, tuition, fares, clothing, equipment and incidental expenses.<sup>33</sup>

##### B. *Scholarship-holders from Territories under the administration of New Zealand*

44. At the beginning of 1959, holders of five ordinary New Zealand scholarships, four trade scholarships and one Wanganui Collegiate scholarship, left the Cook Islands

<sup>33</sup> Commonwealth of Australia, *Territory of Papua, Annual Report for the Period 1st July 1958, to 30th June 1959* (Canberra, A. J. Arthur, Commonwealth Government Printer, 1959), p. 84.

for various schools in New Zealand, bringing the total number of students under this scheme since 1946 to seventy-seven.<sup>34</sup> Four girls and two boys from the Tokelau Islands attended schools in Western Samoa and two boys from the Tokelau Islands attended the Central Medical School in Suva, Fiji, on scholarship.<sup>35</sup>

##### C. *Scholarship-holders and private students studying in the United Kingdom of Great Britain and Northern Ireland and the Republic of Ireland during the academic year 1959-1960*<sup>36</sup>

45. At the end of 1959, the number of colonial students in the United Kingdom and in Ireland was 18,588. Of these, 3,634 were scholarship-holders. The number of students (scholarship-holders and private students) from the different groups of Territories was as follows:

East and Central Africa . . . . .	2,713
West Africa . . . . .	6,538
Far East . . . . .	2,268
Mediterranean . . . . .	998
Caribbean . . . . .	5,524
Other Territories . . . . .	547

##### D. *Trainees from Non-Self-Governing Territories under the Colombo Plan Technical Co-operation Scheme*<sup>37</sup>

46. The number of new trainees in 1958-1959 and total number of new trainees for the period 1950-1959 were:

<i>Territory</i>	<i>1958-1959</i>	<i>1950-1959</i>
Brunei . . . . .	4	11
North Borneo . . . . .	31	140
Sarawak . . . . .	37	140
Singapore . . . . .	51	237

<sup>34</sup> Department of Island Territories, *Reports on the Cook, Niue, and Tokelau Islands* (Wellington, R. E. Owen, Government Printer, 1959), p. 55.

<sup>35</sup> *Ibid.*, p. 129.

<sup>36</sup> Colonial Office, *The Colonial Territories 1959-1960*, Cmnd. 1065 (London, Her Majesty's Stationery Office, 1960), p. 130.

<sup>37</sup> Commonwealth Relations Office, *The Colombo Plan Technical Co-operation Scheme: Report for 1958-59 by the Council for Technical Co-operation in South and South-East Asia* (London, Her Majesty's Stationery Office, 1959), p. 11.

*Annex to this document follows, on p. 22.*

## ANNEX to document A/4473

## SCHOLARSHIPS OFFERED TO STUDENTS FROM NON-SELF-GOVERNING TERRITORIES UNDER GENERAL ASSEMBLY RESOLUTION 845 (IX)

<i>Offering State</i>	<i>Date of offer</i>	<i>Academic year for which scholarships were offered</i>	<i>Number of scholarships offered</i>	<i>Field of study offered</i>	<i>Duration</i>	<i>Qualifications required</i>	<i>Transportation</i>	<i>Maintenance</i>	<i>Allowances</i>
Burma	17 October 1955	—	4	University, technical or agricultural subjects	1-2 years for graduates; 3 years for others	University graduation or sufficient knowledge of English with secondary school graduation	Round trip paid	250 kyats per month	200 kyats <i>per annum</i> for textbooks
Brazil	16 January 1958	1958-1959	2	Tropical medicine or architecture	9 months	University or post-graduate level	Paid	\$US80 per month for a maximum period of 9 months	
	26 August 1960	1961-1962	1	University subject	10 months	University graduate	Paid	\$US850 for 10 months	
Ceylon	19 August 1957	—	3	(a) Secondary education (b) Surveying, levelling, draughtsmanship	4 years for (a); 1 year for (b)	Cambridge Junior for (a), General Certificate of Education for (b). Age: 13-14 for (a); 17-20 for (b)	Round trip and local transportation paid	Board, lodging, medical care	Books, equipment, clothing
Czechoslovakia	21 January 1957								
	9 December 1957	1956-1960	50 <sup>a</sup>	University subjects	4-6 years	University entrance standard	Round trip paid	Board, lodging, supplies, medical care, hospitalization	A sum for personal expenses
	29 April 1960	1960-1961	20 <sup>a</sup>						
Ghana <sup>b</sup>	3 December 1958	1959-1960 1960-1961 1961-1962	3 each academic year	(a) At University College of Ghana: B.A. (General), B.A. (Honours), B.D., B.Sc. (General), B.Sc. (Economics),	Normally 3 years, subject to satisfactory progress and conduct	Passes in 5 subjects at the General Certificate of Education examination (or its equivalent) with at least two at Advanced Level. Passes must include certain subjects relevant to the course desired. For courses in accountancy, secretaryship and administration, pass at the preliminary examination of the Association of Certified and Corporate Accountants or the	Passage to and from Ghana provided	Full board and lodging provided at the colleges	All essential expenses including clothing replacement, holiday allowance, and free medical care provided

				B.Sc. (Sociol- ogy), B.Sc. (Agri- culture)		Chartered Institute of Secretaries is required in addition to passes in 5 subjects at G.C.E. examination			
				(b) At Kumasi College of Tech- nology : Engi- neering (Degree), archi- tecture, town planning, building technol- ogy, phar- macy, agri- culture (Diploma) account- ancy (A.C. C.A.), secreta- ryship and ad- ministra- tion					
Greece	{ 7 November 1956 22 July 1959 22 July 1960	—	2 2 2	Agriculture marine, spinning, weaving, mechanics, radio- mechanics, electricity	2-3 years plus 1 year to study Greek	Completion of elementary education	Not paid	16,800 drach- mas <i>per</i> <i>annum</i> for board and lodging	
Hungary	{ 24 Sept. 1958 26 April 1960	1958-1959 1959-1960 1960-1961	5 <sup>a</sup> 10 <sup>a</sup>	(a) Arts and crafts and fine arts ; (b) Tech- nical sciences : mechanical, metal- lurgical, railroad	4 years for (a), 5 years for (b), 6 years for (c), each preceded by one year language	Certificates of maturity examinations given by secondary schools in Latin educational system or by other equivalent high schools and one year language training in Hungary required for admission to universities	Round trip paid	850 forints per month, including the vaca- tion period, from which 238 forints would be paid for	Exemption from fees ; free medical and hospi- tal care, medical supplies ; occasional grants of

SCHOLARSHIPS OFFERED TO STUDENTS FROM NON-SELF-GOVERNING TERRITORIES UNDER GENERAL ASSEMBLY RESOLUTION 845 (IX) (*continued*)

<i>Offering State</i>	<i>Date of offer</i>	<i>Academic year for which scholarships were offered</i>	<i>Number of scholarships offered</i>	<i>Field of study offered</i>	<i>Duration</i>	<i>Qualifications required</i>	<i>Transportation</i>	<i>Maintenance</i>	<i>Allowances</i>
Hungary ( <i>continued</i> )				engi- neering; chemis- try, elec- tricity, mining, textile; economic sciences; agri- culture: agron- omy, vet- erinary surgery; teacher training; (c) Medical sciences	training  1 year of prelimi- nary training in cases where necessary			board and 50 forints for lodging in students colleges	3,500 forints for clothing
India <sup>a</sup> . . . . . (Scholarships offered under the Government of India Cultural Scholarship Scheme)		1955-1956 1956-1957 1957-1958 1958-1959 1959-1960	49 53 52 58 53	Arts and humanities, sciences, agricul- ture, med- icine, tech- nology, education, law, com- merce, forestry, veterinary science, engineer- ing, etc.	Period necessary to acquire degree, diploma or certificate	Standard equivalent to Senior Cambridge or London Matriculation, good com- mand of English, work- knowledge of Hindu advantageous	Round trip paid	200 rupees per month plus capi- tation, tuition, examina- tion fees	Study tours; medical expenses certified by medi- cal officer or head of institution; trip to holiday or youth wel- fare camp, approved by Govern- ment: 30 rupees per month as coach- ing fee for learn- ing Hindu
Iran . . . . .	19 July 1956	—	2	Iranian his- tory and literature	1-2 years	Knowledge of Persian language	Round trip paid	Board, lodg- ing, medi- cal care	

Israel .....	23 April 1958	—	3	Post-graduate studies	14 months stay in Israel: 9 months study at the Hebrew University in Jerusalem, the Haifa Institute of Technology or the Weizmann Institute of Science plus 5 months' course in Hebrew	Post-graduation	The Government of Israel prepared to consider favourably cases where a contribution to applicant's travel expenses would be required	225 Israel pounds a month
Italy .....	{ 4 March 1959 15 March 1960	1959-1960 1960-1961	10 <sup>a</sup> 10 <sup>a</sup>	Courses offered in all Italian universities and institutions of higher education	One academic year from 1 November 1959 to 30 June 1960. Renewable when academic performance of the candidate so justifies. Special three-month preparatory course in the Italian language is provided by the Universities of Perugia and Florence or by the Dante	Not specified, but presumably university entrance standard	The Italian Government reimburses travelling expenses from country of origin to Italy and pays travelling expenses from Italy to the country of origin	A monthly allowance of 60,000 lire (approximately \$100) for the duration of the academic year and for a three-month preparatory course in the Italian language is provided Assistance is rendered in procuring board and lodging. The Italian Government pays university fees and taxes

SCHOLARSHIPS OFFERED TO STUDENTS FROM NON-SELF-GOVERNING TERRITORIES UNDER GENERAL ASSEMBLY RESOLUTION 845 (IX) (continued)

Offering State	Date of offer	Academic year for which scholarships were offered	Number of scholarships offered	Field of study offered	Duration	Qualifications required	Transportation	Maintenance	Allowances
Italy (continued)					Alighieri Society of Rome prior to the beginning of the academic year				
Mexico . . . . .	{ 23 October 1956 26 March 1960	—	10 <sup>a</sup>	Agriculture, teacher training, secondary education	1 year with possible extension	Knowledge of Spanish	Not paid	Board, lodging	
Philippines . . .	12 Sept. 1955	for 10 years	5 3	Engineering High school course	4 years	Not specified	Not paid	Not provided	
Poland . . . . .	19 May 1956	—	10 <sup>a</sup>	All available fields of study	5-6 years	University entrance standard; sufficient knowledge of one European language	2 round trips paid	750 zlotys per month; tuition free	Cost covered for books, supplies, rent in student quarters; one allowance for clothing; medical care
Romania . . . . .	31 October 1956	Increased to	2 <sup>a</sup> 5 <sup>a</sup>	Medicine Mathematics, petroleum	6 years	Not specified	Return trip and annual travel to vacation resorts paid	1,000 lei per month during the entire period of study	
		Increased to	20 <sup>a</sup>	Agronomy, chemistry, Romanian philology					
Tunisia . . . . .	{ 10 December 1956 7 March 1960	1957-1958	10 <sup>a</sup>	(a) Secondary education (b) Agriculture (c) University subjects	1 year; extended automatically for satisfactory scholastic performance	Secondary entrance standard for (a); <i>baccalauréat</i> for (b) and (c) knowledge of French or Arabic	Round trip from Tunisian border paid	Board, lodging	25,000francs per month granted to university students

Turkey .....	12 Sept. 1955	—	2 <sup>a</sup>	(a) Technical and vocational training for artisans, mechanics, technicians (iron-workers, printers, engineers, chemists' assistants, etc.)	1 year language training; 2 years except 3 years for printing course, 1 year language training; 4 years' course	Junior secondary education; graduate normally not over 19 years of age	Not paid	A cash subsidy of 175 Turkish liras monthly during the length of the scholarships	300 Turkish liras a year for clothing; 50 Turkish liras a year for books; 300 Turkish liras every 2 years for an overcoat; 50 Turkish liras a year for school expenses
	Renewed 19 June 1958			(b) Advanced vocational and technical training at Practical Fine Arts School, Technical Instructors School and Engineering Technical School		Senior secondary school education. Graduates not older than 22 years for the Practical Fine Arts School and not older than 30 years for the Technical Instruction School			
United States of America <sup>d</sup> .....	18 December 1956	1957-1958	91	(a) (i) Any undergraduate or graduate academic programme exclusive of undergraduate medical study; (ii) university	(a) (i) Grants are for initial period of one year with possibility of renewal on a competitive basis;	(a) All grants require some knowledge of English; (i) satisfactory completion of course equivalent to that offered by U.S. secondary schools; (ii) Ph.D. or equivalent experience; (iii) licensed school teachers with 3 years' experience, school administrators and officials of ministries of education	(a) (i,ii) Grants pay round-trip transportation; (iii) round-trip paid and some travel in the U.S. as authorized for pur-	(a) (i) Majority of grants pay for tuition, fees, room and board, with allowances for books and other expenses; (ii) pri-	(a), (i), (ii), (iii) See maintenance
	31 May 1959	1959-1960	194						
	31 May 1960	1960-1961	Approx. 200						

SCHOLARSHIPS OFFERED TO STUDENTS FROM NON-SELF-GOVERNING TERRITORIES UNDER GENERAL ASSEMBLY RESOLUTION 845 (IX) (*continued*)

<i>Offering State</i>	<i>Date of offer</i>	<i>Academic year for which scholarships were offered</i>	<i>Number of scholarships offered</i>	<i>Field of study offered</i>	<i>Duration</i>	<i>Qualifications required</i>	<i>Transportation</i>	<i>Maintenance</i>	<i>Allowances</i>
United States of America ( <i>continued</i> ) <sup>a</sup>				lecturing and advanced research in most academic fields; (iii) grants for teacher advancement in elementary, secondary, vocational and scientific education and other specialized fields pertaining to education	(ii) grants are for a period of 3 months to one year with possibility of extension; (iii) six-month and shorter-term projects		transportation grant	vate support usually required, although maintenance allowance occasionally available for periods up to ten months; allowance for books; (iii) tuition and book allowance as appropriate; per diem allowance for room and board	
	21 March 1958	For a 3-year period from 19 June 1957	Approx. 150-200 grants annually to inhabitants of territories in the Caribbean area and approx. 30 such grants for Near East and African areas	(b) Technical training as required and agreed upon by the International Co-operation Administration and the Government concerned	(b) Varies from one month to 18 months	(b) Dependent upon country's needs	(b) Dependent on terms of agreement	(b) Sufficient to pay usual living expenses; varies from location to location	(b) See maintenance

Union of Soviet Socialist Republics	24 May 1955	—	10 <sup>a</sup>	Agriculture, medicine, technical and university subjects	5-6 years plus 1 year for study of the Russian language	Completion of secondary education	Round trip and travel to rest home or sanatorium during holidays	Sum sufficient to cover cost of board, material and cultural needs; free lodgings in student dormitory; free medical care	Lump sum for equipment; grant for books and supplies
	21 May 1960 (At Friendship University of Moscow)			Engineering, agriculture, medicine, natural sciences, history, philology, economics	1 year language training 4-5 years university studies	Complete secondary education under 35 years of age	One round trip paid to Moscow	Complete	Provided
Yugoslavia	15 July 1955		5	University subjects	Not specified	University entrance standard	Round trip paid	Amount not stated	
	"		5	Vocational and technical	1 year	Not specified	As above	Amount not stated	
	19 May 1959 21 April 1960	1959-1960	10	University subjects	Not specified	Not specified	Not specified	Amount not stated	

<sup>a</sup> Scholarships offered to students from Trust and Non-Self-Governing Territories.

<sup>b</sup> Candidates should apply in their own handwriting to the Permanent Secretary, Ministry of Education, P.O. Box M.45, Accra, Ghana, West Africa, giving the following details: Name, address, sex, date of birth, tribe and Territory, religious denomination (if any), whether married, number of children (if any), details of examination passed, examination, year passed, index number, centre, subjects with grading, past employment (if any), present employment, course desired. They should attach copies of certificates

and testimonials. Applications for scholarships during the academic year 1959-1960 should have reached Accra by 28 February 1959.

<sup>c</sup> Candidates are advised that information and the application forms for the scholarships offered by the Government of India may be obtained from the Indian representative in, or nearest to, the Territory of the candidate.

<sup>d</sup> Candidates are advised that precise information on availability of grants in any given Territory can best be obtained through the educational authorities of the Territorial Government concerned. Applications are also made through the same channel.

**Document A/4473/Add.1**

[Original text: English]  
[27 September 1960]

1. By a note dated 29 August 1960, the Permanent Representative of Turkey informed the Secretary-General that the Turkish Government had to reject three applications for scholarships from students from Trust and Non-Self-Governing Territories, among which was one from the Republic of the Congo (formerly the Belgian Congo), since all five scholarships which the Government of Turkey had offered had already been allocated.

2. By a note dated 7 September 1960, the Permanent Representative of Ghana, in reply to the Secretary-General's note of 15 July 1960, informed the latter that in addition to the two applicants from Kenya, who were mentioned in last year's report (A/4196, para. 24) as having received awards to study in Ghana, three further applicants (one from Uganda and two from Kenya) have received scholarship awards under General Assembly resolution 845 (IX). The first two students from Kenya arrived in Ghana in October 1959 and both are studying at the Kumasi College of Technology, each holding a four-year scholarship. Of the latter three students mentioned above, one is due to take up his scholarship in October 1960 and the other two in January 1961. One of them holds a three-year scholarship at the University College of Ghana, one a five-year scholarship at the Kumasi College of Technology and the third student has a four-year scholarship for study at the College of Administration.

3. In a note dated 6 September 1960, the Secretary-General was informed by the Permanent Representative of the Romanian People's Republic that five scholarships, previously granted under General Assembly resolutions 557 (VI) and 845 (IX) to applicants from the former Trust Territories of Togoland under French administration and the Cameroons under French administration, from the Trust Territory of the Cameroons under British administration and from Northern Rhodesia, have been awarded to other applicants (two from Nigeria and three from Kenya), since the former recipients of the awards had not responded to repeated notifications by the Romanian authorities.

4. The Permanent Representative of Ceylon informed the Secretary-General, by a note dated 20 September 1960, that Mr. Beresford During of Sierra Leone, who had been awarded a scholarship for secondary education (A/4473, para. 22), has withdrawn his application. In addition, eleven candidates (five from Kenya, four from Nyasaland, one from the Republic of the Congo (formerly the Belgian Congo) and one from Sierra Leone) have been rejected since ten of them could not

comply with all requirements and one had applied for a field of study for which no scholarship had been offered. The Permanent Representative of Ceylon also stated that the Secretary-General would be informed shortly whether the scholarships as originally offered by the Government of Ceylon, including those which remained unused, continued to be available.

**Document A/4473/Add.2**

[Original text: English]  
[11 October 1960]

1. By a note dated 28 September 1960, the Permanent Representative of India supplied the Secretary-General with detailed information on the number of scholarships offered by the Government of India and utilized by students from Non-Self-Governing Territories during the years 1959-1960 and 1960-1961.

2. The Permanent Representative recalled that these scholarships were offered by the Government of India under its national scheme and not with reference to any resolution adopted by the General Assembly.

3. For the academic year 1959-1960, fifty-five such scholarships had been offered, of which fifty-one were utilized. For 1960-1961 the number of scholarships offered and utilized were fifty-four and fifty-one, respectively. The figures given for 1960-1961 are provisional since the final position will only be known after all selected scholars have joined their respective institutions.

**Document A/4473/Add.3**

[Original text: English]  
[20 October 1960]

1. By a note dated 14 October 1960, the Permanent Representative of Venezuela informed the Secretary-General that the Government of Venezuela was offering three scholarships to students from Non-Self-Governing Territories under General Assembly resolution 845 (IX). These scholarships, available for five academic years, will be tenable at the School for Petroleum Engineering at the University of Zulia, in the city of Maracaibo.

2. In the granting of the scholarships, preference will be given to applicants from Non-Self-Governing Territories situated in the Americas. Candidates are required to have completed secondary education and, if possible, to have a knowledge of Spanish.

3. Each scholarship grant will include the cost of transportation from and to the student's home country as well as the cost of maintenance and lodging.

**DOCUMENT A/C.4/L.639**

**Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies—Ethiopia, Guinea, Haiti, Iraq, Liberia, Libya, Mali, Mexico, Morocco, Somalia, Sudan, Tunisia, United Arab Republic, Venezuela and Yugoslavia: draft resolution**

[Original text: French]  
[20 October 1960]

*The General Assembly,*  
Recalling its resolutions 566 (VI), 647 (VII), 744 (VIII) and 1466 (XIV),

Considering that the direct association of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies is an effective

means of promoting the progress of those Territories and their peoples towards the attainment of the objectives set forth in Chapter XI of the Charter,

*Recognizing* that the participation of qualified representatives of the dependent peoples in the consideration of questions of fundamental concern to their welfare is not only useful and desirable but also essential at the present stage of development of the Non-Self-Governing Territories,

*Noting* that the participation of some Non-Self-Governing Territories in the work of certain regional economic commissions and specialized agencies of the United Nations has proved a useful means of promoting the progress of the peoples of those Territories towards complete self-government and independence,

1. *Considers* that the direct participation of the Non-Self-Governing Territories, through the participation

of politically qualified representatives, in the work of the appropriate organs of the United Nations is in the interest of the peoples of those Territories and can do much to accelerate the process of their emancipation;

2. *Invites* the Administering Members to arrange for the participation of representatives of the Non-Self-Governing Territories in the work of the appropriate organs of the United Nations;

3. *Further invites* such Administering Members as have not already done so to propose to the specialized agencies and the regional economic commissions the participation of indigenous peoples in the work of those organs as members, associate members or observers, according to the constitution of the organ;

4. *Decides* to include this question as a separate item on the agenda at its sixteenth session.

#### DOCUMENTS A/C.4/L.639/REV.1 AND REV.1/ADD.1<sup>38</sup>

**Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies—Ceylon, Cuba, Ethiopia, Ghana, Guinea, Haiti, Iran, Iraq, Jordan, Liberia, Libya, Mali, Mexico, Morocco, Saudi Arabia, Somalia, Sudan, Tunisia, United Arab Republic, Venezuela and Yugoslavia: revised draft resolution**

[Original text: French]  
[21 October 1960]

*The General Assembly,*

*Recalling* its resolutions 566 (VI), 647 (VII), 744 (VIII) and 1466 (XIV),

*Considering* that the direct participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies is an effective means of promoting the progress of those Territories and their peoples towards the attainment of the objectives set forth in Chapter XI of the Charter,

*Recognizing* that the participation of duly qualified indigenous representatives of the dependent peoples in the consideration of questions of fundamental concern to their welfare is not only useful and desirable but also essential at the present stage of development of the Non-Self-Governing Territories,

*Noting* that the participation of some Non-Self-Governing Territories in the work of certain regional economic commissions and specialized agencies of the United Nations has proved a useful means of promoting the progress of the peoples of those Territories towards complete self-government or independence,

1. *Considers* that the direct participation of the Non-Self-Governing Territories, through the participation of

duly qualified representatives, in the work of the appropriate organs of the United Nations is in the interest of the peoples of those Territories and can do much to accelerate the process of their emancipation;

2. *Invites* the Administering Members to arrange for the participation of such representatives of the Non-Self-Governing Territories in the work of the appropriate organs of the United Nations;

3. *Further invites* such Administering Members as have not already done so to propose to the specialized agencies and the regional economic commissions the participation of the Non-Self-Governing Territories in the work of those organs as members or associate members, according to the constitution of each organ, through duly qualified representatives;

4. *Decides* to include this question as a separate item on the provisional agenda of its sixteenth session;

5. *Requests* the Secretary-General to present a report on the implementation of this resolution to the General Assembly at its sixteenth session.

<sup>38</sup> By document A/C.4/L.639/Rev.1/Add.1, dated 21 October 1960, operative paragraph 5 was added to the draft resolution.

#### DOCUMENTS A/C.4/L.641 AND ADD.1<sup>39</sup>

**Preparation and training of indigenous civil and technical cadres in Non-Self-Governing Territories—Argentina, Burma, Canada, Ceylon, Ghana, India, Indonesia, Iran, Iraq, Ireland, Mexico, Morocco, Nepal, Nigeria, Pakistan, Senegal, Somalia and Sweden: draft resolution**

[Original text: English]  
[21 October 1960]

*The General Assembly,*

*Having examined* the report on the progress of Non-Self-Governing Territories since the establishment of the United Nations,

*Noting* that, while information is not available in the progress report as to the strength, composition and the

state of training of indigenous civil and technical personnel employed in all the various branches of administration in Non-Self-Governing Territories, the report

<sup>39</sup> By document A/C.4/L.641/Add.1, dated 26 October 1960, Canada, Morocco and Pakistan were added to the list of sponsors of the draft resolution.

bears evidence of serious shortages of trained personnel of all kinds in these Territories.

*Considering* that the existence of adequate personnel of this kind is indispensable to the effective implementation of plans and programmes of development in the educational, social and economic fields,

*Bearing in mind* that suitably trained indigenous civil and technical cadres are essential to the efficient functioning of the administrations of the Territories,

*Believing* that the absence of such cadres has, in the past, resulted in serious administrative dislocation in certain Territories upon their attainment of independence, and that their very expeditious development in the remaining Non-Self-Governing Territories will assist in the transfer of full control of powers, in conditions of stability, from Administering Members to the Administrations of Territories emerging from the status of non-self-government;

1. *Urges* the Administering Members to take immediate measures aimed at the rapid development of

indigenous civil and technical cadres and for the replacement of expatriate personnel by local officers;

2. *Invites* the Administering Members to make full use of the United Nations technical assistance programmes for training in public administration and related fields;

3. *Requests* the Administering Members to transmit, before the next session of the Committee on Information from Non-Self-Governing Territories, special reports setting out all available information concerning the training facilities for, and the current strength, composition and state of preparation, etc. of, civil and technical services in the Territories for which they are respectively responsible, so as to enable the Committee to undertake, at that session, an examination of such information and to report thereon to the Assembly at its sixteenth session.

4. *Further requests* the Administering Members to include such information with regard to their Territories regularly in their annual transmissions to the Secretary-General under Article 73 e of the Charter.

### DOCUMENT A/C.4/L.645

#### **Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories—Ceylon, Somalia, Venezuela and Yugoslavia: draft resolution**

[Original text: English]  
[27 October 1960]

*The General Assembly,*

*Having examined* the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of the Non-Self-Governing Territories under General Assembly resolution 845 (IX) of 22 November 1954 (A/4473 and Corr.1 and Add.1-3),

*Noting with satisfaction* the further response to its resolution 845 (IX) inviting Member States to extend their offers of facilities for study and training to the inhabitants of the Non-Self-Governing Territories,

*Noting* the increasing interest among the inhabitants of the Non-Self-Governing Territories in such offers, as indicated by the fourfold increase over the previous year in the number of applications for such facilities in 1959-1960,

*Expressing regret* that despite this increase a large number of the scholarships so offered by Member States remain unutilized,

*Further expressing regret* that in several instances the students who have been granted scholarships have not been accorded facilities to leave the Non-Self-Governing Territories to take advantage of such scholarships,

1. *Takes note* of the report of the Secretary-General on offers of study and training facilities under General Assembly resolution 845 (IX) of 22 November 1954;

2. *Reaffirms* its resolution 1471 (XIV) of 12 December 1959;

3. *Invites* the Administering Members concerned, once again, to take all necessary measures to ensure that scholarships and training facilities offered by Member States are utilized by the inhabitants of the Non-Self-Governing Territories, and to render every assistance to those persons who have applied for, or have been granted, scholarships or fellowships, particularly with regard to facilitating their travel formalities;

4. *Requests* all Administering Members which have not already done so to give the fullest publicity in the Territories under their administration to all offers of study and training facilities made by Member States;

5. *Urges* Member States to increase the number of scholarships offered;

6. *Requests* the Member States offering scholarships to take into account the necessity of furnishing complete information about the scholarships offered, and, whenever possible, the need to provide travel funds to prospective students;

7. *Requests* the Secretary-General to give such assistance as is possible, and as may be sought by the Member States concerned and by the applicants;

8. *Further requests* the Secretary-General to prepare for the sixteenth session of the General Assembly a report concerning the actual use of scholarships and training facilities offered by Member States to students from the Non-Self-Governing Territories.

## DOCUMENT A/4650

## Report of the Fourth Committee

[Original text: English]  
[14 December 1960]

1. At its 881st plenary meeting, on 1 October 1960, the General Assembly allocated to the Fourth Committee the following items on its agenda:

"37. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations: reports of the Secretary-General<sup>40</sup> and of the Committee on Information from Non-Self-Governing Territories;<sup>41</sup>

"(a) Progress achieved by the Non-Self-Governing Territories in pursuance of Chapter XI of the Charter;<sup>42</sup>

"(b) Information on economic conditions;<sup>43</sup>

"(c) Information on other conditions;<sup>44</sup>

"(d) General questions relating to the transmission and examination of information;<sup>45</sup>

"(e) New developments connected with the association of Non-Self-Governing Territories with the European Economic Community: report of the Secretary-General.<sup>46</sup>

"39. Dissemination of information on the United Nations in Non-Self-Governing Territories; report of the Secretary-General.<sup>47</sup>

"40. Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies: report of the Secretary-General.<sup>48</sup>

"41. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories: report of the Secretary-General."<sup>49</sup>

2. At its 1003rd meeting, on 3 October 1960, the Committee decided that it would take up items 37, 39, 40 and 41 together, and that, following a general debate on these items, it would then take up the separate items and sub-items as necessary.

3. At the 1005th meeting, the representatives of Argentina and the United Kingdom of Great Britain and Northern Ireland reserved the positions of their Governments with respect to the Falkland Islands (*Islas Malvinas*) and the Falkland Islands dependencies. The representative of Chile reserved the position of his Government with regard to the Chilean Antarctic territory, concerning part of which the United Kingdom transmits information as included in the Falkland Islands dependencies. The representatives of Guatemala and the United Kingdom reserved the position of their Governments in respect of British Honduras (Belize). The

representative of Mexico restated the position of his Government that, if the status of British Honduras (Belize) were changed, the right of his Government over part of that Territory would have to be taken into account. The representative of Guatemala restated the position of his Government in connexion with the statement by the representative of Mexico.

4. The representative of Morocco reserved the position of his Government in respect of sovereignty over Mauritania, Ifni, Saguia-el-Hamra, Ceuta and Melilla. The representative of France reserved the position of his Government in respect of Mauritania. The positions of their Governments were stated by the representative of Iraq on Mauritania; Indonesia on Ifni and Mauritania; Jordan and Lebanon on Ifni and Saguia-el-Hamra; Libya, Saudi Arabia, Sudan, the United Arab Republic and Yemen on Ifni, Saguia-el-Hamra and Mauritania. The representative of Spain reserved the position of his Government in respect of Ifni, Saguia-el-Hamra, Ceuta and Melilla.

5. The representative of Indonesia reserved the position of his Government with respect to sovereignty over, and the transmission of information on, West Irian (Netherlands New Guinea). The representative of the Netherlands reserved the position of his Government with respect to sovereignty over, and the transmission of information on, Netherlands New Guinea (West Irian). The representatives of Burma, Iraq, India, Ceylon, Saudi Arabia, Morocco, the United Arab Republic and the Union of Soviet Socialist Republics stated the positions of their Governments on West Irian (Netherlands New Guinea). The representative of Australia stated the position of his Government in respect of Netherlands New Guinea (West Irian).

6. At the 1006th meeting, the representatives of Spain and the United Kingdom reserved the positions of their Governments in respect of Gibraltar. The representatives of Yemen and the United Kingdom reserved the positions of their Governments in respect of Aden Colony and Protectorate. The representatives of Lebanon and Morocco stated the positions of their Governments in respect of sovereignty over Aden.

7. From its 1006th to its 1019th meetings inclusive, from 10 to 21 October 1960, the Committee heard statements in the general debate on items 37, 39, 40 and 41.

8. At the 1020th meeting, when the Committee took up the first draft resolution before it,<sup>50</sup> the representative of Bulgaria suggested that the Committee should postpone consideration of that and other draft resolutions relating to conditions in Non-Self-Governing Territories pending a decision of the General Assembly on item 87 of its agenda, concerning a declaration on the granting of independence to colonial countries and peoples.

9. The representative of Venezuela suggested that the Committee should continue its work and reach decisions on the draft resolutions before it, but that it should postpone submitting its draft report on these items to the General Assembly until a decision had

<sup>40</sup> A/4360-A/4368.

<sup>41</sup> A/4371.

<sup>42</sup> *Progress of the Non-Self-Governing Territories under the Charter* (United Nations publication, Sales No.: 60.VI.B.1), vols. 1-4 (A/4105-4109, A/4114, A/4124, A/4128 and Corr.1, A/4129, A/4131, A/4134, A/4136, A/4137, A/4142, A/4144, A/4152, A/4162 and Corr.1, A/4165-4167, A/4175, A/4178, A/4181, A/4192-4195) and vol. 5 (ST/TRI/SER.A/15/vol. 5); A/4371, part one, sect. VI, and part two.

<sup>43</sup> A/4371, part one, sect. VII, and part three.

<sup>44</sup> *Ibid.*, part one, sect. VIII and X.

<sup>45</sup> *Ibid.*, part one, sect. IX.

<sup>46</sup> A/4470.

<sup>47</sup> A/4471 and Add.1 and Add.1/Corr.1.

<sup>48</sup> A/4472 and Add.1.

<sup>49</sup> A/4473 and Corr.1 and Add.1-3.

<sup>50</sup> See paras. 48-54, below.

been taken on the item referred to by the representative of Bulgaria.

10. The representative of Guinea suggested that the Committee should request the Chairman to approach the President of the General Assembly with a view to having that item considered as soon as possible in the plenary meetings, since the outcome of the consideration of a declaration on the granting of independence to colonial countries and peoples would have serious effects on the work of the Committee.

11. At its 1021st meeting, the Chairman informed the Committee that he had approached the President of the General Assembly on this matter and had received the assurance of the President that the Fourth Committee would be informed as soon as a date on the debate on item 87 had been fixed.

12. Subsequently, the Committee resumed its consideration of the draft resolutions relating to the Non-Self-Governing Territories, on the understanding that the report of the Fourth Committee on these items would not be submitted to the General Assembly until a decision had been taken on a declaration on the granting of independence to colonial countries and peoples.

#### INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 *e* OF THE CHARTER

13. In the course of the general debate, many representatives drew attention to the lack of information on the territories administered by Portugal and Spain. The representatives of Portugal and Spain reserved the positions of their Governments.

14. At the 1007th meeting, during the general debate, the representative of Mexico referred to part one, paragraph 103, of the 1960 report of the Committee on Information from Non-Self-Governing Territories (A/4371), and expressed the view that the state of affairs in the French Territories in the Americas did not exempt the Government of France from the obligation to transmit information. At the 1008th meeting, the representative of France stated that France no longer administered any colonies, and he considered that the point raised by the representative of Mexico had no relevance to the items under discussion. The Territories in the Americas, referred to by the representative of Mexico, had free assemblies and free representation.

15. At the 1019th meeting, under agenda item 37 (d), the representative of Ghana drew attention to the lack of information on French Somaliland and the Comoro Archipelago and to the delay in the transmission of information by the United Kingdom on Malta. In reply, the representative of France stated that, in accordance with the wishes expressed by the inhabitants, French Somaliland and the Comoro Archipelago were now self-governing and, accordingly, they no longer came within the scope of Chapter XI of the Charter. The representative of the United Kingdom informed the Committee that the information on Malta would be transmitted in time for the next session of the Committee on Information from Non-Self-Governing Territories.

16. At the 1023rd meeting, Argentina, Burma, Ceylon, Ghana, India, Indonesia, Iran, Iraq, Ireland, Mexico, Nepal, Nigeria, Senegal, Somalia and Sweden submitted a draft resolution on the preparation and training of indigenous civil and technical cadres in Non-Self-Governing Territories (A/C.4/L.641). Canada,

Morocco and Pakistan joined as co-sponsors (A/C.4/L.641/Add.1). Under the terms of this draft resolution, the General Assembly would, *inter alia*: urge the Administering Members to take immediate measures aimed at the rapid development of indigenous civil and technical cadres and at the replacement of expatriate personnel by local officers; invite the Administering Members to make full use of the United Nations technical assistance programmes for training in public administration; and request the Administering Members to transmit special reports on the civil and technical services in the Territories so as to enable the Committee on Information from Non-Self-Governing Territories, at its 1961 session, to examine such information and to report thereon to the General Assembly at its sixteenth session.

17. At the 1024th meeting, the representative of Liberia orally proposed an amendment to operative paragraph 1 of the draft resolution which would replace the words "local officers" by the words "indigenous officers". This amendment was accepted by the sponsors.

18. At the same meeting, the Committee voted on the draft resolution. The draft resolution, as orally revised, was adopted by a roll-call vote of 73 to none, with 9 abstentions. The voting was as follows:

*In favour*: Afghanistan, Argentina, Australia, Belgium, Brazil, Burma, Cambodia, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Union of South Africa, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against*: None.

*Abstaining*: Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

19. The text as approved by the Committee appears in paragraph 60 of the present report as draft resolution I.

#### PROGRESS ACHIEVED BY THE NON-SELF-GOVERNING TERRITORIES IN PURSUANCE OF CHAPTER XI OF THE CHARTER

20. By resolution 1461 (XIV) of 12 December 1959, the General Assembly requested the Committee on Information from Non-Self-Governing Territories to examine the progress report<sup>51</sup> with a view to ascertaining the progress made by the inhabitants of the Non-Self-Governing Territories in the light of the objectives set forth in Chapter XI of the Charter, and requested the Committee to submit its observations and conclusions thereon to the General Assembly at its fifteenth session.

21. The Fourth Committee accordingly had before it the progress report prepared by the Secretary-General

<sup>51</sup> *Progress of the Non-Self-Governing Territories under the Charter* (United Nations publication, Sales No.: 60.VI.B.1), vols. 1-5.

and the specialized agencies and the observations and conclusions submitted by the Committee on Information from Non-Self-Governing Territories (A/4371, part two). As the progress achieved by the Non-Self-Governing Territories had been the main theme of most of the statements in the general debate, the Committee did not give further separate consideration to this sub-item.

22. At the 1023rd meeting, Nigeria and Venezuela submitted a draft resolution on the transmission of information on political progress in the Non-Self-Governing Territories (A/C.4/L.640). A revised text of the draft resolution was submitted by Burma, Ceylon, Ghana, India, Indonesia, Iran, Iraq, Jordan, Libya, Mali, Nigeria, Senegal, Sudan, Togo, the United Arab Republic and Venezuela (A/C.4/L.640/Rev.1), who were later joined by Somalia and Morocco (A/C.4/L.640/Rev.1/Add.1 and 2) as co-sponsors. The revised text read as follows:

*"The General Assembly,*

*"Recalling resolutions 932 (X) of 8 November 1955 and 1053 (XI) of 20 February 1957 by which it invited the Secretary-General, in collaboration with the specialized agencies concerned, to prepare a report on the progress that has been achieved in the Non-Self-Governing Territories in accordance with the objectives set forth in Chapter XI of the Charter since the establishment of the United Nations,*

*"Having regard to the objectives set forth in Chapter XI of the Charter and particularly the objectives of sub-paragraphs a and b of Article 73,*

*"1. Takes note of the Report on Progress in the Non-Self-Governing Territories prepared by the Secretary-General in collaboration with the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization in accordance with resolutions 932 (X) of 8 November 1955, 1053 (XI) of 20 February 1957 and 1152 (XII) of 26 November 1957;*

*"2. Notes with appreciation the observations and conclusions on the Progress Report prepared by the Committee on Information from Non-Self-Governing Territories in accordance with resolution 1461 (XIV) of 12 December 1959;*

*"3. Welcomes the progress in its various aspects achieved in many of the Non-Self-Governing Territories and notes that in spite of the increased tempo of change, a substantial number of Territories still remain non-self-governing, and that in the great majority of these the achievements of the period fall short of the needs of the inhabitants of these Territories;*

*"4. Expresses its satisfaction that since 1946 a number of former Non-Self-Governing Territories have become Members of the United Nations after acceding to independence, and that the transmission of information on some others has ceased, with the approval of the General Assembly, after the achievement of the objectives of the Charter;*

*"5. Considers that, while rapid economic, social and educational advancement must be directed towards the realization of the goal of independence of Non-Self-Governing Territories, in no circumstances should independence be delayed on the ground of inadequate economic, social and educational standards prevailing in the Territories;*

*"6. Requests the Administering Members to strengthen their efforts in the economic, social and educational fields with the full participation of the indigenous inhabitants of the Territories in all fields of activity by transferring to them effective powers so that during the period of transition from dependence to independence the Non-Self-Governing Territories are able to establish sound foundations for their future;*

*"7. Further notes that in spite of some reference in the progress report to constitutional and political developments in some of the Non-Self-Governing Territories, the absence of information of a political and constitutional character on a majority of Non-Self-Governing Territories renders it impossible to assess the extent of their progress towards the goals of the Charter;*

*"8. Considers that a full knowledge of the political and constitutional developments in Non-Self-Governing Territories is essential not only to a proper evaluation of the progress of the Territories towards independence but also to that of their economic, social and cultural advancement;*

*"9. Urges once again the Administering Members concerned to extend their full co-operation to the General Assembly in the performance of its functions by transmitting information of a political and constitutional character on developments in the Territories under their respective administrations;*

*"10. Requests the Secretary-General to transmit the progress report and the observations and conclusions prepared by the Committee on Information from Non-Self-Governing Territories to Member States responsible for the administration of Non-Self-Governing Territories, to the Economic and Social Council, to the regional economic commissions, and to the specialized agencies concerned, for necessary action."*

23. The Committee considered this draft resolution at its 1024th to its 1026th meeting inclusive.

24. At the 1024th meeting, the representative of Liberia orally proposed amendments to operative paragraph 3, which would: (a) add the word "gradual" before "progress"; and (b) substitute the word "some" for "many". The sponsors accepted the second of the two amendments.

25. At the same meeting, the representative of Morocco orally proposed the deletion in operative paragraph 5 of the words "realization of the goal of". This was accepted by the sponsors.

26. The representative of Ireland orally suggested that the sponsors replace the last part of operative paragraph 5, after the words "Non-Self-Governing Territories" by "independence should not be delayed until economic, social and educational problems have been solved".

27. In response to the suggestion of the representative of Ireland, the sponsors revised the text of operative paragraph 5 to read as follows:

*"Considers that, while rapid economic, social and educational advancement must be directed towards the independence of Non-Self-Governing Territories, independence should not be delayed on the ground of inadequate economic, social and educational standards prevailing in the Territories;"*

28. At the 1025th meeting, Guinea submitted amendments (A/C.4/L.644) and a drafting change for the

French text of operative paragraph 9. The drafting change was accepted by the Committee. The amendments were as follows: (a) in operative paragraph 3, replace the opening phrase "*Welcomes* the progress in its various aspects achieved in many of the Non-Self-Governing Territories and notes", by the words "*Notes* that progress has been achieved in some of the Non-Self-Governing Territories and"; (b) in operative paragraph 5, replace the words "in no circumstances should independence be delayed on the ground of inadequate economic, social and educational standards prevailing in the Territories" by the phrase "the inadequate level of economic, social and educational development in the Territories should never serve as a pretext for deferring their accession to independence"; (c) in operative paragraph 6, replace the word "*Requests*" by the word "*Urges*"; and (d) in operative paragraph 7, insert the words "with regret" after the words "*Further notes*".

29. At the 1026th meeting, the Committee voted on the draft resolution (A/C.4/L.640/Rev.1 and Rev.1/Add.1 and 2) as revised by the sponsors, and the amendments submitted by Guinea (A/C.4/L.644) with the following results:

The amendment submitted by Guinea to operative paragraph 3 was adopted by 25 votes to 17, with 37 abstentions.

Operative paragraph 3, as amended, was adopted by 56 votes to none, with 19 abstentions.

The amendment submitted by Guinea to operative paragraph 5 was adopted by a roll-call vote of 32 to 2, with 51 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroun, Central African Republic, Chad, Colombia, Costa Rica, Cuba, Czechoslovakia, Dahomey, Greece, Guatemala, Guinea, Haiti, Hungary, Liberia, Mali, Morocco, Poland, Romania, Saudi Arabia, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia.

*Against:* Chile, Italy.

*Abstaining:* Australia, Austria, Belgium, Burma, Cambodia, Canada, Ceylon, China, Cyprus, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Gabon, Ghana, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Japan, Jordan, Lebanon, Libya, Mexico, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Somalia, Spain, Sweden, Thailand, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen.

Operative paragraph 5, as amended, was adopted by 64 votes to none, with 20 abstentions.

The amendment submitted by Guinea to operative paragraph 6 was adopted by 39 votes to 2, with 38 abstentions.

Operative paragraph 6, as amended, was adopted by 61 votes to none, with 17 abstentions.

The amendment submitted by Guinea to operative paragraph 7 was adopted by 29 votes to 12, with 34 abstentions.

Operative paragraph 7, as amended, was adopted by 59 votes to 3, with 19 abstentions.

The draft resolution (A/C.4/L.640/Rev.1 and Rev.1/Add.1 and 2) as a whole, as revised by the sponsors and as amended, was adopted by a roll-call vote of

61 to none, with 24 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Brazil, Burma, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, China, Colombia, Costa Rica, Cuba, Cyprus, Dahomey, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Thailand, Togo, Tunisia, Turkey, United Arab Republic, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Albania, Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, Czechoslovakia, Denmark, Finland, France, Italy, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

30. The text as approved by the Committee appears in paragraph 60 of the present report as draft resolution II.

#### INFORMATION ON ECONOMIC AND OTHER CONDITIONS

31. At the 1027th meeting, Afghanistan, Bolivia, Ethiopia, Ghana, India, Morocco, Nigeria, Sudan, Togo and the United Arab Republic submitted a draft resolution on the question of racial discrimination in the Non-Self-Governing Territories (A/C.4/L.643). Subsequently, Somalia (A/C.4/L.643/Add.1) and Guinea, Iraq, Liberia, Nepal, Panama and Senegal (A/C.4/L.643/Add.2) joined as co-sponsors. The operative part of the draft resolution read as follows:

"*The General Assembly,*

"...

"1. *Endorses* the view of the Committee on Information from Non-Self-Governing Territories that not only is racial discrimination a violation of human rights, but it also constitutes a deterrent to progress in all fields of development in the Non-Self-Governing Territories;

"2. *Recommends* that the Administering Members immediately rescind or revoke all laws and regulations which tend to encourage or sanction, directly or indirectly, discriminatory policies and practices based on racial considerations, and that they do their utmost to discourage such practices by all other means possible;

"3. *Urges* the Administering Members to give full and immediate effect to the recommendation of the Committee on Information that measures to solve the problem of race relations should include the extension to all inhabitants of the full exercise of basic political rights, in particular the right to vote, and the establishment of equality among the members of all races inhabiting the Non-Self-Governing Territories;

"4. *Requests* the Administering Members to furnish all relevant information relating to this resolution to the Committee on Information from Non-Self-Governing Territories so as to enable the latter to submit a report to the General Assembly at its sixteenth session."

32. The Committee considered this draft resolution at its 1027th and 1028th meetings.

33. At the 1027th meeting, the representative of the United Kingdom orally suggested to the sponsors changes in the wording of the text along the following lines: (a) in operative paragraph 2, to replace the words "immediately to rescind or revoke all laws", by a phrase such as "to take steps as soon as possible to secure the revocation of all laws"; and (b) in operative paragraph 3, to replace the words "to give full and immediate effect" by, for instance, "to give full effect at the earliest possible time". The sponsors did not accept these suggested changes.

34. At the same meeting, Haiti submitted an amendment (A/C.4/L.646) to operative paragraph 3, which would replace the word "inhabitants" in the phrase "the extension to all inhabitants" by the word "citizens".

35. At the 1028th meeting, the Committee voted on the draft resolution (A/C.4/L.643 and Add.1 and 2) and the amendment submitted by Haiti (A/C.4/L.646).

The amendment submitted by Haiti was rejected by 33 votes to 9, with 32 abstentions.

Operative paragraph 2 of the draft resolution was adopted by 73 votes to none, with 2 abstentions.

Operative paragraph 3 was adopted by 68 votes to none, with 7 abstentions.

The draft resolution (A/C.4/L.643 and Add.1 and 2), as a whole, was adopted by a roll-call vote of 74 to none, with 2 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, United Kingdom of Great Britain and Northern Ireland.

36. The text as approved by the Committee appears in paragraph 60 of the present report as draft resolution III.

37. At the 1030th meeting, the Committee, by a vote of 63 to none, with 9 abstentions, approved the draft resolution on the report on economic conditions submitted by the Committee on Information from Non-Self-Governing Territories (A/4371, part one, annex II).

38. The text of the draft resolution, as approved by the Fourth Committee, appears in paragraph 60 of the present report as draft resolution IV.

#### NEW DEVELOPMENTS CONNECTED WITH THE ASSOCIATION OF NON-SELF-GOVERNING TERRITORIES WITH THE EUROPEAN ECONOMIC COMMUNITY

39. Under General Assembly resolution 1470 (XIV) of 12 December 1959, the General Assembly requested

the Secretary-General to prepare a report on new developments connected with the association of Non-Self-Governing Territories with the European Economic Community. In a note by the Secretariat (A/4470), the General Assembly was informed that it had not been possible to prepare such a report owing to the lack of relevant material. Moreover, as a result of recent constitutional changes, it was no longer possible for the Secretariat to report on the former African Non-Self-Governing Territories directly associated with the European Economic Community.

40. References to the association of the Non-Self-Governing Territories with the European Economic Community were made by some representatives during the general debate, and, further, at the 1030th meeting.

41. The Fourth Committee had before it A/4470. It was also informed by the Secretariat that a study on the impact of the European economic group on African trade and economic development was at present being prepared by the secretariat of the Economic Commission for Africa. The Fourth Committee noted that relevant excerpts from that study would be made available to the Committee on Information from Non-Self-Governing Territories at its session in the spring of 1961.

#### DISSEMINATION OF INFORMATION ON THE UNITED NATIONS IN NON-SELF-GOVERNING TERRITORIES

42. In accordance with General Assembly resolution 1465 (XIV) of 12 December 1959, the Secretary-General prepared a report on the dissemination of information on the United Nations in the Non-Self-Governing Territories (A/4471).

43. In the early part of the general debate, some references were made to the lack of information on this subject from the Administering Members. At the 1008th meeting, the representative of the United Kingdom drew the attention of the Committee to a note dated 30 September 1960 by which his Government had transmitted to the Secretary-General a memorandum on the results of a review carried out by the United Kingdom Government of all types of publicity material about the United Nations and the specialized agencies in the Territories under its administration. The memorandum was reproduced as an addendum (A/4471/Add.1) to the report of the Secretary-General on this item.

44. At the 1029th meeting, Burma submitted a draft resolution (A/C.4/L.647) by which the General Assembly would seek to strengthen measures for the dissemination of information on the United Nations in the Non-Self-Governing Territories under their administration. Among other measures, the General Assembly would: invite the Administering Members to make further efforts to secure the active support and participation of the representative organizations of the inhabitants; invite the Administering Members to broaden the scope and accelerate the process of dissemination of information and to develop public awareness of, and interest in, the United Nations by making full use of facilities provided by the United Nations Office of Public Information for the purpose of disseminating information; and request the Secretary-General to take action towards the establishment of information centres in the Non-Self-Governing Territories such as Eastern and Central Africa, Papua and the Caribbean Territories.

45. At the 1030th meeting, the representative of Burma made orally a drafting change in the last phrase of the English text of operative paragraph 6: the words "those in" were inserted between "such as" and "Eastern and Central Africa".

46. At the same meeting, the Committee voted on the draft resolution submitted by Burma (A/C.4/L.647). It was adopted by 63 votes to none, with 13 abstentions.

47. The text as approved by the Committee appears in paragraph 60 of the present report as draft resolution V.

#### PARTICIPATION OF THE NON-SELF-GOVERNING TERRITORIES IN THE WORK OF THE UNITED NATIONS AND OF THE SPECIALIZED AGENCIES

48. In accordance with General Assembly resolution 1466 (XIV) of 12 December 1959, the Secretary-General prepared a report on the participation of the Non-Self-Governing Territories, references were made United Nations and of the specialized agencies (A/4472 and Add.1). In the course of the general debate on Non-Self-Governing Territories, references were made to the lack of information from the Administering Members concerning measures they had taken to implement the Assembly's resolution.

49. At the 1019th meeting, Ethiopia, Guinea, Haiti, Iraq, Liberia, Libya, Mali, Mexico, Morocco, Somalia, Sudan, Tunisia, the United Arab Republic, Venezuela and Yugoslavia submitted a draft resolution on the participation of Non-Self-Governing Territories in the work of the United Nations and the specialized agencies (A/C.4/L.639). Subsequently, the sponsors submitted a revised text (A/C.4/L.639/Rev.1 and Rev.1/Add.1) in which Ceylon, Cuba, Ghana, Iran, Jordan and Saudi Arabia joined as co-sponsors. Under this draft resolution, the General Assembly would, *inter alia*, invite the Administering Members to arrange for the increased participation of duly qualified representatives of the Non-Self-Governing Territories in the work of the appropriate organs of the United Nations, the regional economic commissions and the specialized agencies according to the constitutions of each organ.

50. The Committee considered this draft resolution from its 1020th to its 1022nd meeting, inclusive.

51. At the 1020th meeting, the Philippines submitted an amendment (A/C.4/L.642) to the effect that the phrase "with the right fully to be heard on matters of particular concern to them but without the right to vote" should be added at the end of operative paragraph 2. This amendment was withdrawn at the 1022nd meeting.

52. At the same meeting, the representative of India orally proposed the following amendments: (a) in operative paragraph 1, the words "through the participation of duly qualified representatives" should be deleted and the words "of representatives of the indigenous peoples" inserted after the words "direct participation"; and (b) in operative paragraph 3, the words "duly qualified representatives" should be replaced by the words "such representatives".

53. At the same meeting, the Committee voted on the draft resolution and the oral amendments proposed by the representative of India.

The amendments proposed by India were adopted by 42 votes to 3, with 31 abstentions.

The draft resolution (A/C.4/L.639/Rev.1 and Rev.1/Add.1), as a whole, as amended, was adopted by a roll-call vote of 67 to none, with 12 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Australia, Austria, Bolivia, Brazil, Burma, Cambodia, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Albania, Byelorussian Soviet Socialist Republic, Czechoslovakia, Guinea, Hungary, Poland, Portugal, Romania, Spain, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics.

54. The text as approved by the Committee appears in paragraph 60 of the present report as draft resolution VI.

#### OFFERS OF STUDY AND TRAINING FACILITIES UNDER GENERAL ASSEMBLY RESOLUTION 845 (IX)

55. The Committee had before it the report of the Secretary-General (A/4473 and Corr.1 and Add.1-3), submitted in accordance with General Assembly resolution 1471 (XIV) of 12 December 1959.

56. At the 1029th meeting, Ceylon, Somalia, Venezuela and Yugoslavia submitted a draft resolution (A/C.4/L.645), under which the General Assembly would once again request the Administering Members and the offering States to take steps to make it possible for the inhabitants of Non-Self-Governing Territories to make the widest possible use of the scholarships and training facilities offered by Member States. In operative paragraph 7, the General Assembly would request the Secretary-General "to give such assistance as is possible, and as may be sought by the Member States concerned and by the applicants".

57. On behalf of the sponsors, the representative of Ceylon orally revised the text of operative paragraph 7 to add after the words "Secretary-General", the words "and specialized agencies of the United Nations".

58. At the same meeting, the Committee voted on the draft resolution as orally revised, and adopted it unanimously.

59. The text as approved by the Committee appears in paragraph 60 of the present report as draft resolution VII.

#### Recommendations of the Fourth Committee

60. Pending further consideration<sup>52</sup> of these items by the Committee at the resumed session in the light

<sup>52</sup> Postponed to the sixteenth session of the General Assembly by decision of the Fourth Committee at its 1154th meeting and of the General Assembly at its 995th plenary meeting.

of resolution 1514 (XV) adopted by the General Assembly on 14 December 1960, the Committee recommends to the General Assembly the adoption of the following draft resolutions:

*Draft resolution I*

PREPARATION AND TRAINING OF INDIGENOUS CIVIL AND TECHNICAL CADRES IN NON-SELF-GOVERNING TERRITORIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

*Draft resolution II*

PROGRESS ACHIEVED IN NON-SELF-GOVERNING TERRITORIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

*Draft resolution III*

RACIAL DISCRIMINATION IN NON-SELF-GOVERNING TERRITORIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

*Draft resolution IV*

REPORT ON ECONOMIC CONDITIONS IN NON-SELF-GOVERNING TERRITORIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

*Draft resolution V*

DISSEMINATION OF INFORMATION ON THE UNITED NATIONS IN THE NON-SELF-GOVERNING TERRITORIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

*Draft resolution VI*

PARTICIPATION OF THE NON-SELF-GOVERNING TERRITORIES IN THE WORK OF THE UNITED NATIONS AND OF THE SPECIALIZED AGENCIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

*Draft resolution VII*

OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 948th plenary meeting, on 15 December 1960, the General Assembly adopted draft resolutions I, II, III, IV, V, VI and VII submitted by the Fourth Committee (A/4650, para. 60). For the final text, see resolutions 1534 (XV), 1535 (XV), 1536 (XV), 1537 (XV), 1538 (XV), 1539 (XV) and 1540 (XV), respectively, below.

### Resolutions adopted by the General Assembly

1534 (XV). PREPARATION AND TRAINING OF INDIGENOUS CIVIL AND TECHNICAL CADRES IN NON-SELF-GOVERNING TERRITORIES

*The General Assembly,*

*Having examined* the report on the progress achieved in the Non-Self-Governing Territories since the establishment of the United Nations,<sup>53</sup>

*Noting* that, while information is not available in the report as to the strength, the composition and the state of training of indigenous civil and technical personnel employed in all the various branches of administration in Non-Self-Governing Territories, the report gives evidence of the serious shortages of trained personnel of all kinds in these Territories,

*Considering* that the existence of adequate personnel of this kind is indispensable to the effective implementation of plans and programmes of development in the educational, social and economic fields,

*Bearing in mind* that suitably trained indigenous civil and technical cadres are essential to the efficient functioning of the administrations of the Territories,

*Believing* that the absence of such cadres has, in the past, resulted in serious administrative dislocation in certain Territories upon their attainment of independence, and that their very expeditious development in the remaining Non-Self-Governing Territories will assist in the transfer of full control of powers, in conditions of stability, from the Administering Members to the administrations of Territories emerging from the status of non-self-government,

1. *Urges* the Administering Members to take immediate measures aimed at the rapid development of indigenous civil and technical cadres and at the replacement of expatriate personnel by indigenous officers;

2. *Invites* the Administering Members to make full use of the United Nations technical assistance programmes for training in public administration and related fields;

3. *Requests* the Administering Members to transmit, before the next session of the Committee on Information from Non-Self-Governing Territories, special reports setting out all available information on the training facilities for, and the current strength, composition, state of preparation etc. of, civil and technical services in the Territories for which they are respectively responsible, so as to enable the Committee, at that session, to undertake an examination of such infor-

<sup>53</sup> *Progress of the Non-Self-Governing Territories under the Charter* (United Nations publication, Sales No.: 60.VI.B.1), vols. 1-5.

mation and to report thereon to the General Assembly at its sixteenth session;

4. *Further requests* the Administering Members to include such information on their Territories regularly in their annual reports to the Secretary-General under Article 73 e of the Charter of the United Nations.

*948th plenary meeting,  
15 December 1960.*

#### 1535 (XV). PROGRESS ACHIEVED IN NON-SELF-GOVERNING TERRITORIES

*The General Assembly,*

*Recalling* its resolutions 932 (X) of 8 November 1955 and 1053 (XI) of 20 February 1957, by which it invited the Secretary-General, in collaboration with the specialized agencies concerned, to prepare a report on the progress that has been achieved in the Non-Self-Governing Territories in accordance with the objectives set forth in Chapter XI of the Charter of the United Nations since the establishment of the Organization,

*Having regard* to the objectives set forth in Chapter XI of the Charter, and particularly the objectives of Article 73 a and b,

1. *Takes note* of the report on the progress achieved in the Non-Self-Governing Territories<sup>54</sup> prepared by the Secretary-General in collaboration with the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization in accordance with General Assembly resolutions 932 (X) and 1053 (XI);

2. *Notes with appreciation* the observations and conclusions (A/4371, part two) on the progress report prepared by the Committee on Information from Non-Self-Governing Territories in accordance with General Assembly resolution 1461 (XIV) of 12 December 1959;

3. *Notes* that progress has been achieved in some of the Non-Self-Governing Territories, and notes that, in spite of the increased tempo of change, a substantial number of Territories still remain non-self-governing and that in the great majority of these the achievements of the period fall short of the needs of the inhabitants of these Territories;

4. *Expresses its satisfaction* that since 1946 a number of former Non-Self-Governing Territories have become Members of the United Nations after acceding to independence, and that the transmission of information on some others has ceased, with the approval of the General Assembly, after the achievement of the objectives of the Charter;

5. *Considers* that, while rapid economic, social and educational advancement must be directed towards the independence of the Non-Self-Governing Territories, the inadequate level of economic, social and educational development in the Territories should never serve as a pretext for deferring their accession to independence;

6. *Urges* the Administering Members to strengthen their efforts in the economic, social and educational fields, with the full participation of the indigenous inhabitants of the Territories in all fields of activity, by transferring to those inhabitants effective powers so that during the period of transition from dependence to independence the Non-Self-Governing Territories will be able to establish sound foundations for their future;

<sup>54</sup> *Ibid.*

7. *Further notes*, with regret, that, in spite of some reference in the progress report to constitutional and political developments in some of the Non-Self-Governing Territories, the absence of information of a political and constitutional character on a majority of these Territories renders it impossible to assess the extent of their progress towards the goals of the Charter;

8. *Considers* that a full knowledge of the political and constitutional developments in Non-Self-Governing Territories is essential not only to a proper evaluation of the progress of the Territories towards independence but also to that of their economic, social and cultural advancement;

9. *Urges once again* the Administering Members concerned to extend their full co-operation to the General Assembly in the performance of its functions by transmitting information of a political and constitutional character on developments in the Territories under their respective administrations;

10. *Requests* the Secretary-General to transmit the progress report and the observations and conclusions prepared by the Committee on Information from Non-Self-Governing Territories to the Member States responsible for the administration of the Non-Self-Governing Territories, to the Economic and Social Council, to the regional economic commissions and to the specialized agencies concerned, for necessary action.

*948th plenary meeting,  
15 December 1960.*

#### 1536 (XV). RACIAL DISCRIMINATION IN NON-SELF-GOVERNING TERRITORIES

*The General Assembly,*

*Recalling* that it is among the purposes and principles of the United Nations to ensure equal rights and to promote respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

*Recalling further* that in its resolutions 644 (VII) of 10 December 1952 and 1328 (XIII) of 12 December 1958 it recommended the adoption of certain measures for the abolition of all practices and policies of discrimination on racial grounds in the Non-Self-Governing Territories,

*Noting with deep concern*, from the information available in the report on the progress achieved in the Non-Self-Governing Territories, that racial discrimination persists in several Territories and that in some cases discriminatory practices continue to be reinforced by law and regulation (A/4371, part two, para. 177):

1. *Endorses* the view of the Committee on Information from Non-Self-Governing Territories that not only is racial discrimination a violation of human rights, but it also constitutes a deterrent to progress in all fields of development in the Non-Self-Governing Territories (A/4371, part two, para. 188);

2. *Recommends* that the Administering Members immediately rescind or revoke all laws and regulations which tend to encourage or sanction, directly or indirectly, discriminatory policies and practices based on racial considerations, and that they do their utmost to discourage such practices by all other means possible;

3. *Urges* the Administering Members to give full and immediate effect to the recommendation of the Committee on Information from Non-Self-Governing Territories that measures to solve the problem of race relations should include the extension to all inhabitants of the

full exercise of basic political rights, in particular the right to vote, and the establishment of equality among the members of all races inhabiting the Non-Self-Governing Territories;

4. *Requests* the Administering Members to furnish all relevant information relating to the present resolution to the Committee on Information from Non-Self-Governing Territories so as to enable the latter to submit a report to the General Assembly at its sixteenth session.

*948th plenary meeting,  
15 December 1960.*

#### 1537 (XV). REPORT ON ECONOMIC CONDITIONS IN NON-SELF-GOVERNING TERRITORIES

*The General Assembly,*

*Recalling* that by resolution 564 (VI) of 18 January 1952 it approved the special report drawn up in 1951 (A/1836, part three) as a brief but considered indication of economic conditions in Non-Self-Governing Territories and the problems of economic development,

*Recalling further* that by resolution 846 (IX) of 22 November 1954 it approved another special report on economic conditions (A/2729, part two) as a supplement to the 1951 report,

*Recalling also* that by resolution 1152 (XII) of 26 November 1957 it approved a further special report on economic conditions (A/3647 and Corr.1, part two),

*Having received and considered* a further report on economic conditions in Non-Self-Governing Territories (A/4371, part three), prepared by the Committee on Information from Non-Self-Governing Territories at its eleventh session, in 1960,

1. *Takes note* of the report on economic conditions in Non-Self-Governing Territories prepared in 1960 by the Committee on Information from Non-Self-Governing Territories and considers that this report should be studied in connexion with the other reports mentioned above;

2. *Invites* the Secretary-General to communicate this report to Member States responsible for the administration of Non-Self-Governing Territories, to the Economic and Social Council, to the regional economic commissions, to the Trusteeship Council and to the specialized agencies concerned, for their consideration;

3. *Expresses its confidence* that the Members responsible for the administration of Non-Self-Governing Territories will bring the report to the attention of the authorities responsible for economic development in those Territories.

*948th plenary meeting,  
15 December 1960.*

#### 1538 (XV). DISSEMINATION OF INFORMATION ON THE UNITED NATIONS IN THE NON-SELF-GOVERNING TERRITORIES

*The General Assembly,*

*Recalling* its resolution 1465 (XIV) of 12 December 1959 on the dissemination of information on the United Nations in the Non-Self-Governing Territories,

*Reiterating* the principle that the interests of the inhabitants of these Territories are paramount,

*Considering* that the story of the United Nations, its purposes and principles, as well as the principles of the Universal Declaration of Human Rights, would greatly stimulate the interest of the adult populations of the Non-Self-Governing Territories in the political activities and peaceful objectives of the Organization,

*Keeping in mind* the ever-growing needs for the dissemination of information on the United Nations, particularly as the increased tempo of change has necessitated the immediate launching of public information activities on as wide a scale as possible,

*Having examined* the special report of the Secretary-General on the present state of dissemination of information on the United Nations in these Territories (A/4471 and Add.1),

*Considering* that the dissemination of information in pursuance of its resolution 1465 (XIV) is still far from satisfactory,

1. *Takes note* of the special report of the Secretary-General on the dissemination of information on the United Nations in the Non-Self-Governing Territories;

2. *Considers* that measures adopted thus far by some Administering Members for the dissemination of information on the United Nations among the inhabitants of the Non-Self-Governing Territories do not include steps to secure the active support and participation of representative organizations of these inhabitants for the purpose of spreading such information;

3. *Invites* the Administering Members to make further efforts to secure the active support and participation of the aforementioned representative organizations;

4. *Further invites* the Administering Members to broaden the scope and accelerate the process of dissemination of information and to develop public awareness of, and interest in, the United Nations by making full use of facilities provided by the United Nations Office of Public Information for the purpose of disseminating information;

5. *Requests* the Secretary-General to review the quantity, quality and content of the material distributed, in order to meet the growing demand for such material and to assist the inhabitants of the Non-Self-Governing Territories towards an easy and intelligent understanding of the aims and activities of the United Nations;

6. *Requests* the Secretary-General to take action towards the establishment of information centres in Territories such as those in Eastern and Central Africa, Papua and the Caribbean Territories;

7. *Invites* the Secretary-General to submit to the General Assembly at its sixteenth session a report on the progress made in implementing the present resolution.

*948th plenary meeting,  
15 December 1960.*

#### 1539 (XV). PARTICIPATION OF THE NON-SELF-GOV- ERNING TERRITORIES IN THE WORK OF THE UNITED NATIONS AND OF THE SPECIALIZED AGENCIES

*The General Assembly,*

*Recalling* its resolutions 566 (VI) of 18 January 1952, 647 (VII) of 10 December 1952, 744 (VIII) of 27 November 1953 and 1466 (XIV) of 12 December 1959,

*Considering* that the direct participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies is an effective means of promoting the progress of those Territories and their peoples towards the attainment of the objectives set forth in Chapter XI of the Charter of the United Nations,

*Recognizing* that the participation of duly qualified indigenous representatives of the dependent peoples in the consideration of questions of fundamental concern to

their welfare is not only useful and desirable but also essential at the present stage of development of the Non-Self-Governing Territories,

*Noting* that the participation of some Non-Self-Governing Territories in the work of certain regional economic commissions and specialized agencies has proved a useful means of promoting the progress of the peoples of those Territories towards complete self-government or independence,

1. *Considers* that the direct participation of representatives of the indigenous peoples of the Non-Self-Governing Territories in the work of the appropriate organs of the United Nations is in the interest of the peoples of those Territories and can do much to accelerate the process of their emancipation;

2. *Invites* the Administering Members to arrange for the participation of such representatives of the Non-Self-Governing Territories in the work of the appropriate organs of the United Nations;

3. *Further invites* such Administering Members as have not already done so to propose to the specialized agencies and the regional economic commissions that the Non-Self-Governing Territories participate in the work of those organs as members or associate members, according to the constitution of each organ, through such representatives;

4. *Decides* to include this question as a separate item on the provisional agenda of its sixteenth session;

5. *Requests* the Secretary-General to submit to the General Assembly at its sixteenth session a report on the implementation of the present resolution.

*948th plenary meeting,  
15 December 1960.*

#### 1540 (XV). OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES

*The General Assembly,*

*Having examined* the report of the Secretary-General (A/4473 and Add.1-3) on offers by Member States of study and training facilities for inhabitants of the Non-Self-Governing Territories under General Assembly resolution 845 (IX) of 22 November 1954,

*Noting with satisfaction* the further response to its resolution 845 (IX) inviting Member States to extend their offers of facilities for study and training to the inhabitants of the Non-Self-Governing Territories,

*Noting* the increasing interest among the inhabitants of the Non-Self-Governing Territories in such offers, as indicated by the fourfold increase over the previous year in the number of applications for such facilities in 1959-1960,

*Expressing regret* that despite this increase a large number of the scholarships so offered by Member States remain unutilized,

*Further expressing regret* that in several instances the students who have been granted scholarships have not been accorded facilities to leave the Non-Self-Governing Territories in order to take advantage of such scholarships,

1. *Takes note* of the report of the Secretary-General on offers of study and training facilities under General Assembly resolution 845 (IX);

2. *Reaffirms* its resolution 1471 (XIV) of 12 December 1959;

3. *Invites once again* the Administering Members concerned to take all necessary measures to ensure that scholarships and training facilities offered by Member States are utilized by the inhabitants of the Non-Self-Governing Territories, and to render every assistance to those persons who have applied for, or have been granted, scholarships or fellowships, particularly with regard to facilitating their travel formalities;

4. *Requests* all Administering Members which have not already done so to give the fullest publicity in the Territories under their administration to all offers of study and training facilities made by Member States;

5. *Urges* Member States to increase the number of scholarships offered;

6. *Requests* the Member States offering scholarships to take into account the necessity of furnishing complete information about the scholarships offered, and, whenever possible, the need to provide travel funds to prospective students;

7. *Requests* the Secretary-General and the specialized agencies to give such assistance as is possible, and as may be sought by the Member States concerned and by the applicants;

8. *Further requests* the Secretary-General to prepare for the sixteenth session of the General Assembly a report on the actual use of scholarships and training facilities offered by Member States to students from the Non-Self-Governing Territories.

*948th plenary meeting,  
15 December 1960.*

### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda items 37, 39, 40 and 41 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/1836	Report of the Special Committee on Information transmitted under Article 73 e of the Charter	<i>Official Records of the General Assembly, Sixth Session, Supplement No. 14</i>
A/2729	Report of the Committee on Information from Non-Self-Governing Territories	<i>Ibid., Ninth Session, Supplement No. 18</i>
A/3647	Report of the Committee on Information from Non-Self-Governing Territories	<i>Ibid., Twelfth Session, Supplement No. 15</i>
A/3928	Report of the Committee of Experts on United Nations Public Information	<i>Ibid., Thirteenth Session, Annexes, agenda item 55</i>
A/4096	Cessation of the transmission of information under Article 73 e of the Charter: communication from the Government of France	<i>Ibid., Fourteenth Session, Annexes, agenda item 36</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4100	Report of the Trusteeship Council (2 August 1958-6 August 1959)	<i>Ibid.</i> , <i>Fourteenth Session, Supplement No. 4</i>
A/4105	Mining: report prepared by the Secretariat	<i>Progress of the Non-Self-Governing Territories under the Charter</i> , United Nations publication, Sales No.: 60.VI.B.1, vol. 2
A/4106	Demographic conditions and population trends: report prepared by the Secretariat	<i>Ibid.</i> , vol. 3
A/4107	General developments in social conditions: report prepared by the Secretariat	<i>Ibid.</i> , vol. 3
A/4108	Agriculture and livestock: report prepared by the Food and Agriculture Organization of the United Nations	<i>Ibid.</i> , vol. 2
A/4109	Manufacturing industries: report prepared by the Secretariat	<i>Ibid.</i> , vol. 2
A/4111	Report of the Committee on Information from Non-Self-Governing Territories	<i>Official Records of the General Assembly, Fourteenth Session, Supplement No. 15</i>
A/4114	Co-operative societies: report prepared by the International Labour Office	<i>Progress of the Non-Self-Governing Territories under the Charter</i> , United Nations publication, Sales No.: 60.VI.B.1, vol. 3
A/4124	Freedom of association and industrial relations: report prepared by the International Labour Office	<i>Ibid.</i> , vol. 3
A/4128 and Corr.1	Health services and activities: report prepared by the World Health Organization	<i>Ibid.</i> , vol. 3
A/4129	Fisheries: report prepared by the Food and Agriculture Organization of the United Nations	<i>Ibid.</i> , vol. 2
A/4131	Education in the Non-Self-Governing Territories: report prepared by the United Nations Educational, Scientific and Cultural Organization	<i>Ibid.</i> , vol. 4
A/4134	Transport and communications: report prepared by the Secretariat	<i>Ibid.</i> , vol. 2
A/4136	Nutrition: report prepared by the World Health Organization and the Food and Agriculture Organization of the United Nations	<i>Ibid.</i> , vol. 3
A/4137	Progress and application of social security legislation: report prepared by the International Labour Office	<i>Ibid.</i> , vol. 3
A/4142	Forestry: report prepared by the Food and Agriculture Organization of the United Nations	<i>Ibid.</i> , vol. 2
A/4144	Cultural and scientific institutions: report prepared by the United Nations Educational, Scientific and Cultural Organization	<i>Ibid.</i> , vol. 4
A/4152	Mass communications: report prepared by the United Nations Educational, Scientific and Cultural Organization	<i>Ibid.</i> , vol. 1
A/4162 and Corr.1	External trade: report prepared by the Secretariat	<i>Ibid.</i> , vol. 2
A/4165	Power: report prepared by the Secretariat	<i>Ibid.</i> , vol. 2
A/4166	General economic developments: report prepared by the Secretariat	<i>Ibid.</i> , vol. 2
A/4167	Community development: report prepared by the Secretariat	<i>Ibid.</i> , vol. 3
A/4175	Race relations: report prepared by the Secretariat	<i>Ibid.</i> , vol. 3
A/4178	Public finance: report prepared by the Secretariat	<i>Ibid.</i> , vol. 2
A/4181	Social welfare: report prepared by the Secretariat	<i>Ibid.</i> , vol. 3
A/4192	Introduction and general survey	<i>Ibid.</i> , vol. 1
A/4193	Status of women: report prepared by the Secretariat	<i>Ibid.</i> , vol. 1
A/4194	Human rights: report prepared by the Secretariat	<i>Ibid.</i> , vol. 1
A/4195	International technical assistance: report prepared by the Secretariat	<i>Ibid.</i> , vol. 1
A/4196 and Add.1	Offers of study and training facilities under resolution 845 (IX) of 22 November 1954: report of the Secretary-General	<i>Official Records of the General Assembly, Fourteenth Session, Annexes</i> , agenda item 36
A/4360	Note by the Secretary-General transmitting to the General Assembly summaries of information on Central African Territories	Mimeographed. For the summaries, see ST/TRI/B.1959/1
A/4361	Note by the Secretary-General transmitting to the General Assembly summaries of information on East African Territories	<i>Idem</i> , ST/TRI/B.1959/2
A/4362	Note by the Secretary-General transmitting to the General Assembly summaries of information on Southern African Territories	<i>Idem</i> , ST/TRI/B.1959/3
A/4363	Note by the Secretary-General transmitting to the General Assembly summaries of information on Indian Ocean Territories	<i>Idem</i> , ST/TRI/B.1959/4
A/4364	Note by the Secretary-General transmitting to the General Assembly summaries of information on West African Territories	<i>Idem</i> , ST/TRI/B.1959/5
A/4365	Note by the Secretary-General transmitting to the General Assembly summaries of information on Caribbean and Western Atlantic Territories	<i>Idem</i> , ST/TRI/B.1959/6
A/4366	Note by the Secretary-General transmitting to the General Assembly summaries of information on Asian Territories	<i>Idem</i> , ST/TRI/B.1959/7
A/4367	Note by the Secretary-General transmitting to the General Assembly summaries of information on Pacific Territories	<i>Idem</i> , ST/TRI/B.1959/8

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4368	Note by the Secretary-General transmitting to the General Assembly summaries of information on other Territories	<i>Idem</i> , ST/TRI/B.1959/9
A/4371	Report of the Committee on Information from Non-Self-Governing Territories	<i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 15</i>
A/4429	Public information activities of the United Nations: report of the Secretary-General	<i>Ibid.</i> , <i>Fifteenth Session, Annexes</i> , agenda item 59
A/4501	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the fifteenth session	<i>Ibid.</i> , agenda item 87
A/4502 and Corr.1	Declaration by the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics on the grant of independence to colonial countries and peoples	<i>Ibid.</i>
A/AC.35/L.303	Illiteracy and fundamental education in Non-Self-Governing Territories: report by the United Nations Educational, Scientific and Cultural Organization	Mimeographed
A/AC.35/L.318	The transition from subsistence to market agriculture: a reconnaissance study—report by the Food and Agriculture Organization of the United Nations	Ditto
A/AC.100/1 and Add.1	Replies of Governments indicating their views on the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations	Ditto
A/C.4/L.623	Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies—Guinea: draft resolution	For the text of this document, see <i>Official Records of the General Assembly, Fourteenth Session, Supplement No. 16</i> , resolution 1466 (XIV)
A/C.4/L.628	Attainment of independence by Non-Self-Governing Territories—Guinea: draft resolution	<i>Official Records of the General Assembly, Fourteenth Session, Annexes</i> , agenda item 36, document A/4343, para. 60
A/C.4/L.640	Transmission of information on political progress in Non-Self-Governing Territories—Nigeria and Venezuela: draft resolution	Mimeographed. Replaced by A/C.4/L.640/Rev.1
A/C.4/L.640/Rev.1 and Rev.1/Add.1 and 2	Transmission of information on political progress in Non-Self-Governing Territories—Burma, Ceylon, Ghana, India, Indonesia, Iran, Iraq, Jordan, Libya, Mali, Morocco, Nigeria, Senegal, Somalia, Sudan, Togo, United Arab Republic and Venezuela: revised draft resolution	See A/4650, para. 22
A/C.4/L.642	Philippines: amendment to document A/C.4/L.639/Rev.1	See A/4650, para. 51
A/C.4/L.643 and Add.1 and 2	Racial discrimination in Non-Self-Governing Territories—Afghanistan, Bolivia, Ethiopia, Ghana, Guinea, India, Iraq, Liberia, Morocco, Nepal, Nigeria, Panama, Senegal, Somalia, Sudan, Togo and United Arab Republic: draft resolution	Adopted without change. See A/4650, para. 60, draft resolution III
A/C.4/L.644	Guinea: amendments to document A/C.4/L.640/Rev.1	See A/4650, para. 28
A/C.4/L.646	Haiti: amendment to document A/C.4/L.643	See A/4650, para. 34
A/C.4/L.647	Dissemination of information on the United Nations in Non-Self-Governing Territories—Burma: draft resolution	See A/4650, paras. 45, 46 and 60, draft resolution V
A/C.4/L.656	Draft report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1087th meeting, see A/4650
E/CN.14/23	International economic assistance to Africa: a review of current contributions—memorandum by the Executive Secretary	Mimeographed
ST/TRI/SER.A/15/Vol.5	Progress of the Non-Self-Governing Territories under the Charter, vol. 5: Territorial Surveys	United Nations publication, Sales No.: 60.VI.B.1, vol. 5



**Agenda item 38: Study of principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations: report of the Special Committee established under General Assembly resolution 1467 (XIV)\***

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A/C.4/L.649	Transmission of Information under Article 73 e of the Charter—Afghanistan, Burma, Ceylon, Ghana, Guinea, India, Nepal and Nigeria: draft resolution .....	4
A/C.4/L.649/Rev.1 and Add.1	Transmission of information under Article 73 e of the Charter—Afghanistan, Burma, Ceylon, Ghana, Guinea, India, Iraq, Liberia, Libya, Nepal, Nigeria and Senegal: revised draft resolution .....	5
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\* For the records of the meetings at which this item was considered, see *Official Records of the General Assembly, Fifteenth Session, Fourth Committee*, 1031st to 1049th, 1087th and 1088th meetings; and *ibid.*, *Plenary Meetings*, 948th meeting.

**DOCUMENT A/4526**

**Report of the Special Committee of Six on the Transmission of Information under  
Article 73 e of the Charter**

[Original text: English/French]  
[3 October 1960]

**I. CONSTITUTION OF THE COMMITTEE**

1. By resolution 1467 (XIV), adopted on 12 December 1959, the General Assembly considered that it would be desirable for it to enumerate the principles which should guide Members in determining whether or not an obligation exists to transmit information called for in Article 73 e of the Charter and established a special committee of six members to study these principles.

2. The Special Committee appointed by the General Assembly comprised India, Mexico, Morocco, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The list of representatives attending the meeting is given in the annex to the present report.

3. The Committee met at the Headquarters of the United Nations in New York from 2 September to 22 September 1960 and held fourteen meetings.

**II. ELECTION OF THE CHAIRMAN**

4. The Committee elected by acclamation Mr. C. S. Jha (India) as Chairman.

**III. DOCUMENTATION AND ORGANIZATION OF WORK**

5. By resolution 1467 (XIV), the General Assembly invited Members to communicate to the Secretary-General their views on the question before the Committee. By 1 September 1960, replies had been received from twenty-six Governments. These replies were placed before the Committee, and in reaching its conclusions the Committee took the replies and the views expressed in twenty-four of them fully into account.<sup>1</sup> The texts of the replies are transmitted to the General Assembly with this report in documents A/AC.100/1 and Add.1.

<sup>1</sup> See also A/AC.100/1, para. 4.

6. In addition, in accordance with the terms of the General Assembly resolution, the Secretary-General had prepared for the Committee an account of the history of the discussions on this question together with a summary of opinions expressed by Members in the United Nations and opinions contained in legal treatises (A/AC.100/2 and Add.1 and 2).

7. The Committee also had before it as background information the report (A/2428) of the *Ad Hoc* Committee on Factors (Non-Self-Governing Territories) appointed by the General Assembly under resolution 648 (VII), the list of factors approved by the General Assembly in its resolution 742 (VIII), and the *Reper-tory of Practice of United Nations Organs*.

8. The Committee began its work by hearing preliminary observations by Members on the question referred to it. Statements were made by all Members of the Committee. In the case of the representatives of Mexico, Morocco, the Netherlands and the United Kingdom, the observations made supplemented the written replies previously communicated by their Governments to the Secretary-General. These preliminary observations are contained in the summary records of the relevant meetings (A/AC.100/SR.1-14).

9. Subsequently the Committee discussed the general considerations and principles relating to the application of Chapter XI of the Charter. After this exchange of views, the Committee decided to proceed on the basis of a draft text of the principles to be enumerated, which had been prepared for this purpose by the delegation of India. After discussions and a further exchange of views, the Committee formulated a list of the principles which should guide Members determining whether or not an obligation exists to transmit information under Article 73 e.

10. The list of principles is given in section V below.

#### IV. INTRODUCTION

11. The preliminary observations showed that there was a wide area of agreement on the general approach to the problem and on the basic principles involved, which made it possible for the Committee to reach unanimous conclusions. The Committee also took into consideration the factors annexed to General Assembly resolution 742 (VIII).

12. The conclusions reached by the Committee are reflected in the principles formulated in this report. The following paragraphs, however, clarify the position of members on certain points contained in these principles.

13. *On principle IX*: The representative of the United Kingdom had certain reservations about this principle. In particular, he thought that, although his Government fully accepted the desirability in principle of universal adult suffrage, there might be circumstances in which full self-government could be achieved before it was practicable to implement this principle. In any case, he thought that sub-paragraph (a) of principle IX contained an unnecessary qualification of sub-paragraph (b) of this principle. He also had reservations about referring to the desirability of United Nations supervision in this context.

14. On the question of international supervision, the representative of Morocco stated that it was a point of principle for his Government that the process of consultation should be supervised by the United Nations. He felt that United Nations supervision was not only de-

sirable but sometimes even necessary. To state that international supervision "may be" desirable only partially met the position of his Government.

15. *On principle X*: The representative of the United Kingdom said that he accepted principle X on the understanding that there might be circumstances in which constitutional considerations of the kind referred to reduced to nil the amount of information which could be transmitted.

#### V. PRINCIPLES WHICH SHOULD GUIDE MEMBERS IN DETERMINING WHETHER OR NOT AN OBLIGATION EXISTS TO TRANSMIT THE INFORMATION CALLED FOR IN ARTICLE 73 e OF THE CHARTER

##### A. General considerations

16. In the course of the discussions in the Committee certain general considerations were advanced to which reference should be made in order to clarify the nature of the Committee's work.

17. The Committee noted that since 1946 over 100 million people in some thirty dependent territories have attained the goals set forth in Chapter XI. Many independent States which were previously Non-Self-Governing Territories have been admitted to membership of the United Nations. The right of dependent peoples to choose their own destiny is more universally accepted today than at any time since the signing of the Charter in San Francisco. The Charter was the culmination of progressive evolution in international thinking for it expressed international concern for the welfare and freedom of dependent peoples in a manner which went far beyond that of any previous similar international instrument. There now exists general recognition that independence is among the rightful aspirations of every nation, the fulfilment of which is an important factor in the preservation of international peace and security.

18. The Charter is a living document and the obligations under Chapter XI must be viewed in the light of the changing spirit of the times. Under Article 73 of the Charter, Members of the United Nations recognize that in Non-Self-Governing Territories the interests of the inhabitants are paramount. The progressive development of self-government must take into account the particular circumstances of a territory and the aspirations of its peoples. Such development must be in tune with the movement towards freedom and equality everywhere.

19. The obligations of Members under Chapter XI are not limited to Article 73. Under Article 74 they agree to abide, not only in respect of their metropolitan areas, but also in regard to the territories for which they have or assume responsibilities, by the principle of good neighbourliness. This principle is applicable in respect both of countries which are immediate neighbours in the geographical sense and the international community as a whole. Good neighbourliness implies a moral obligation that reinforces the obligation to transmit information under Article 73 e, thereby contributing to the rapid evolution of Non-Self-Governing Territories.

20. The Committee agreed that the principles which follow should be applied in the light of the facts and the specific circumstances of each case in determining whether or not an obligation exists to transmit information under Article 73 e of the Charter.

## B. THE PRINCIPLES

## I

The authors of the Charter of the United Nations had in mind that Chapter XI should be applicable to territories which were then known to be of the colonial type. An obligation exists to transmit information under Article 73 e of the Charter in respect of such territories whose peoples have not yet attained a full measure of self-government.

## II

Chapter XI embodies the concept of Non-Self-Governing Territories in a dynamic state of evolution and progress towards a "full measure of self-government". As soon as a territory and its peoples attain a full measure of self-government, the obligation ceases. Until this come about the obligation to transmit information under Article 73 e continues.

## III

The obligation to transmit information under Article 73 e of the Charter constitutes an international obligation, and should be carried out with due regard to the fulfilment of international law.

## IV

*Prima facie* there is an obligation to transmit information in respect of a territory which is geographically separate and is distinct ethnically and/or culturally, from the country administering it.

## V

Once it has been established that such a *prima facie* case of geographical and ethnical or cultural distinctness of a territory exists, other elements may then be brought into consideration. These additional elements may be, *inter alia*, of an administrative, political, juridical, economic or historical nature. If they affect the relationship between the metropolitan State and the territory concerned in a manner which arbitrarily places the latter in a position or status of subordination, they support the presumption that there is an obligation to transmit information under Article 73 e of the Charter.

## VI

A Non-Self-Governing Territory can be said to have reached a full measure of self-government by:

- (a) Emergence as a sovereign independent State;
- (b) Free association with an independent State; or
- (c) Integration with an independent State.

## VII

(a) Free association should be the result of a free and voluntary choice by the peoples of the territory concerned expressed by informed and democratic processes. It should be one which respects the individuality and the cultural characteristics of the territory and its peoples, and retains for the peoples of the territory, which is associated with an independent State, the freedom to modify its status through the expression of their will by democratic means and through constitutional processes.

(b) The associated territory should have the right to determine its internal constitution without outside interference, in accordance with due constitutional pro-

cesses and the freely expressed wishes of the people. This does not preclude consultations as appropriate or necessary under the terms of the free association agreed upon.

## VIII

Integration with an independent State should be on the basis of complete equality between the peoples of the erstwhile Non-Self-Governing Territory and those of the independent country with which it is integrated. The peoples of both territories should have equal status and rights of citizenship and equal guarantees of fundamental rights and freedoms without any distinction or discrimination; both should have equal rights and opportunities for representation and effective participation at all levels in the executive, legislative and judicial organs of government.

## IX

Integration should have come about in the following circumstances:

(a) The integrating territory should have attained an advanced stage of self-government with free political institutions, so that its peoples should have the capacity to make a responsible choice through informed and democratic processes;

(b) The integration should be the result of the freely expressed wishes of the territory's peoples with full knowledge of the change in their status and through informed and democratic processes, impartially conducted, and based on universal adult suffrage. It is recognized that in certain circumstances United Nations supervision of such processes may be desirable.

## X

The transmission of information in respect of Non-Self-Governing Territories under Article 73 e is subject to such limitation as security and constitutional considerations may require. This means that the extent of the information may be limited in certain circumstances, but the limitation in Article 73 e cannot relieve a Member State of the obligations of Chapter XI. The "limitation" can relate only to the quantum of information of economic, social and educational nature to be transmitted.

## XI

The only constitutional considerations to which Article 73 e refers are those arising from constitutional relations of the territory with the Administering Member. They refer to a situation in which the constitution of the territory gives it self-government in economic, social and educational matters through freely elected institutions. Nevertheless, the responsibility for transmitting information under Article 73 e continues, unless these constitutional relations preclude the Government or parliament of the Administering Member from receiving statistical and other information of a technical nature relating to economic, social and educational conditions in the territory.

## XII

Security considerations have not been invoked in the past. Only in very exceptional circumstances can information on economic, social and educational conditions have any security aspect. In other circumstances, therefore, there should be no necessity to limit the transmission of information on security grounds.

## ANNEX

LIST OF REPRESENTATIVES TO THE SPECIAL COMMITTEE OF SIX ON TRANSMISSION OF INFORMATION  
UNDER ARTICLE 73 e OF THE CHARTER

Country	Representative	Alternate representatives, Advisers, Experts
India .....	Mr. C. S. Jha	Mr. M. A. Vellodi Mr. M. Rasgotra
Mexico .....	Mr. Francisco Cuevas Cancino	—
Morocco .....	Mr. El Mehdi Ben Aboud	Mr. Mohamed Dey Ould Sidi Baba Mr. Ali Skalli Mr. Mohamed Warzazi
Netherlands .....	Mr. C. W. A. Schurmann	Mr. Jan Polderman Mr. L. J. Goedhart
United Kingdom of Great Britain and Northern Ireland .....	Mr. G. K. Caston	Mr. D. F. Milton Miss A. M. Warburton
United States of America.....	Mr. Francis L. Spalding	Mr. John George Bacon Mr. John W. Simms

DOCUMENT A/C.4/L.648 AND ADD.1<sup>2</sup>**Adoption of the principles contained in the report of the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter (A/4526) — Bolivia, Iraq, Ireland, Nigeria and Venezuela: draft resolution**

[Original text: English]  
[7 November 1960]

*The General Assembly,*

*Considering* the objectives set forth in Chapter XI of the Charter,

*Bearing in mind* the list of factors appended to General Assembly resolution 742 (VIII) of 27 November 1953,

*Having examined* the report (A/4526) of the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter, appointed under General Assembly resolution 1467 (XIV) of 12 December 1959 to study the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article

73 e of the Charter of the United Nations and to report on the results of its study to the General Assembly at its fifteenth session,

1. *Expresses its appreciation* of the work of the Special Committee of Six;

2. *Approves* the principles set out in section V, part B, of the report of the Special Committee of Six;

3. *Decides* that the principles as annexed to this resolution should be applied in the light of the facts and the circumstances of each case to determine whether or not an obligation exists to transmit information under Article 73 e of the Charter.

## ANNEX

[For the text of the principles annexed to this draft resolution see A/4526, section V, part B.]

<sup>2</sup> Document A/C.4/L.648/Add.1, dated 7 November 1960, indicated the addition of Bolivia to the list of sponsors of the draft resolution.

## DOCUMENT A/C.4/L.649

**Transmission of information under Article 73 e of the Charter — Afghanistan, Burma, Ceylon, Ghana, Guinea, India, Nepal and Nigeria: draft resolution**

[Original text: English]  
[8 November 1960]

*The General Assembly,*

*Recalling* that, by resolution 742 (VIII) of 27 November 1953, the General Assembly approved a list of factors to be used as a guide in determining whether a Territory is or is no longer within the scope of Chapter XI of the Charter,

*Recalling also* that differences of views arose among Member States concerning the status of certain territories under the administrations of Portugal and Spain,

described by them as "overseas provinces" of the metropolitan State concerned, and that with a view to resolving those differences the General Assembly, by resolution 1467 (XIV) of 12 December 1959, appointed the Special Committee of Six on the Transmission of Information to study the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter,

Having considered the report of the Special Committee of Six (A/4526), and having approved the twelve principles unanimously formulated by it,

Recognizing that the desire for independence is the rightful aspiration of peoples under colonial subjugation and that the denial of their right to self-determination constitutes a threat to the well-being of humanity and a threat to international peace,

Mindful of its responsibilities under Article 14 of the Charter,

Being aware that while the Governments of Portugal and Spain have not been transmitting information on the territories under their administrations which are enumerated in paragraph 2 below, such information as is available with regard to the situation prevailing in those territories gives cause for concern,

1. Urges the Governments of Portugal and Spain to ensure to the indigenous populations of these territories the enjoyment of full freedom for democratic political activities which would accelerate their attainment of independence;

2. Considers that, in the light of the provisions of Chapter XI of the Charter, General Assembly resolution 742 (VIII) and the principles enumerated by the Special Committee of Six and approved by the General Assembly in resolution . . . , the territories under the administrations of Portugal and Spain listed hereunder are Non-Self-Governing Territories within the meaning of Chapter XI of the Charter:

*Territories administered by Spain*

- (1) Ifni;
- (2) West Sahara;
- (3) Fernando Póo;
- (4) Rio Muni;

*Territories administered by Portugal*

- (1) The Cape Verde Archipelago;
- (2) Guinea, called Portuguese Guinea;
- (3) São Tomé and Príncipe, and their dependencies;
- (4) São João Batista de Ajudá;
- (5) Cabinda;
- (6) Angola;
- (7) Mozambique;
- (8) Goa and dependencies, called the State of India;
- (9) Macau and dependencies;
- (10) Timor and dependencies;

3. Declares that an obligation exists on the part of the Governments of Portugal and Spain to transmit information under Article 73 e of the Charter concerning these territories and should be discharged without further delay;

4. Requests the Government of Spain to transmit to the Secretary-General of the United Nations information under Article 73 e of the Charter on conditions prevailing in the territories under its administration, enumerated in paragraph 2;

5. Requests the Government of Portugal to transmit to the Secretary-General of the United Nations information under Article 73 e of the Charter on conditions prevailing in the territories under its administration, enumerated in paragraph 2 above;

6. Invites the Governments of Portugal and Spain to participate in the work of the Committee on Information from Non-Self-Governing Territories in accordance with the terms of paragraph 2 of General Assembly resolution 1332 (XIII) of 12 December 1958.

**DOCUMENT A/C.4/L.649/REV.1\* AND ADD.1<sup>3</sup>**

**Transmission of information under Article 73 e of the Charter — Afghanistan, Burma, Ceylon, Ghana, Guinea, India, Iraq, Liberia, Libya, Nepal, Nigeria and Senegal: revised draft resolution**

[Original text: English]  
[10 November 1960]

*The General Assembly,*

Recalling that, by resolution 742 (VIII) of 27 November 1953, the General Assembly approved a list of factors to be used as a guide in determining whether a Territory is or is no longer within the scope of Chapter XI of the Charter,

Recalling also that differences of views arose among Member States concerning the status of certain territories under the administrations of Portugal and Spain, described by them as "overseas provinces" of the metropolitan State concerned, and that with a view to resolving those differences the General Assembly, by resolution 1467 (XIV) of 12 December 1959, appointed the Special Committee of Six on the Transmission of Information to study the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter,

\* Incorporating document A/C.4/L.649/Rev.1/Corr.1.

<sup>3</sup> Document A/C.4/L.649/Rev.1/Add.1, dated 11 November 1960, indicated the addition of Iraq, Liberia, Libya and Senegal to the list of sponsors of the draft resolution.

Recognizing that the desire for independence is the rightful aspiration of peoples under colonial subjugation and that the denial of their right to self-determination constitutes a threat to the well-being of humanity and a threat to international peace,

Recalling with satisfaction the statement of the representative of Spain to the Fourth Committee of the General Assembly that the Government of Spain agrees to transmit information to the Secretary-General in accordance with the provisions of Chapter XI of the Charter,

Mindful of its responsibilities under Article 14 of the Charter,

Being aware that the Government of Portugal has not transmitted information on the Territories under its administration which are enumerated in operative paragraph 1 below, and has not expressed any intention of doing so; and because such information as is otherwise available in regard to the conditions in these Territories gives cause for concern,

1. *Considers* that, in the light of the provisions of Chapter XI of the Charter, General Assembly resolution 742 (VIII) and the principles enumerated by the Special Committee of Six and approved by the General Assembly in resolution . . . . ., the territories under the administration of Portugal listed hereunder are Non-Self-Governing Territories within the meaning of Chapter XI of the Charter:

*Territories administered by Portugal*

- (a) The Cape Verde Archipelago;
- (b) Guinea, called Portuguese Guinea;
- (c) São Tomé and Príncipe and their dependencies;
- (d) São João Batista de Ajudá;
- (e) Cabinda;
- (f) Angola;
- (g) Mozambique;
- (h) Goa and dependencies, called the State of India;

(i) Macau and dependencies;

(j) Timor and dependencies;

2. *Declares* that an obligation exists on the part of the Government of Portugal to transmit information under Chapter XI of the Charter concerning these territories and should be discharged without further delay;

3. *Requests* the Government of Portugal to transmit to the Secretary-General of the United Nations information in accordance with the provisions of Chapter XI of the Charter on the conditions prevailing in the territories under its administration, enumerated in paragraph 1 above;

4. *Requests* the Secretary-General to take the necessary steps in pursuance of the declaration of the Government of Spain that it is ready to act in accordance with the provisions of Chapter XI of the Charter;

5. *Invites* the Governments of Portugal and Spain to participate in the work of the Committee on Information from Non-Self-Governing Territories in accordance with the terms of paragraph 2 of General Assembly resolution 1332 (XIII) of 12 December 1958.

## DOCUMENT A/4651

### Report of the Fourth Committee

[Original text: English]  
[14 December 1960]

1. At its 881st plenary meeting, on 1 October 1960, the General Assembly allocated to the Fourth Committee the following item on its agenda:

"38. Study of principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations: report of the Special Committee established under General Assembly resolution 1467 (XIV)."

2. The Committee considered this item from its 1031st to its 1049th meetings inclusive, from 1 to 14 November 1960.

3. The Committee had before it the report (A/4526) of the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter, established under General Assembly resolution 1467 (XIV) of 12 December 1959, containing, as a result of its study, the general considerations and twelve principles which, in the unanimous opinion of the Special Committee of Six, should guide Members in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter.

4. Following the general debate on this item, the Committee, at its 1042nd meeting, took up a draft resolution jointly sponsored by Iraq, Ireland, Nigeria and Venezuela (A/C.4/L.648). Subsequently, Bolivia joined as a co-sponsor (A/C.4/L.648/Add.1). Under the terms of the draft resolution, the General Assembly would, *inter alia*: express its appreciation of the work of the Special Committee of Six; approve the list of principles contained in the report of the Special Committee and annexed to the text of the draft resolution; and decide that these principles should be applied in the light of the facts and the circumstances of each case to determine whether or not an obligation exists to transmit the information called for under Article 73 e.

5. The Committee discussed this draft resolution from its 1042nd to its 1045th meetings, inclusive. At the 1043rd meeting, Togo and Tunisia submitted an amendment (A/C.4/L.650) which would replace the last sentence of sub-paragraph (b) of principle IX, reading "It is recognized that in certain circumstances United Nations supervision of such processes may be desirable", by "Supervision of such processes by the United Nations is necessary". Many Members recalled that the Special Committee, which had been composed of an equal number of Administering and non-Administering Members, in the interest of unanimity, had accepted the text of the principles as a compromise, and appealed to the representatives of Togo and Tunisia to withdraw their amendment so that the principles could be adopted with the greatest possible majority. In response to these appeals, the representative of Tunisia, speaking also on behalf of Togo, at the 1044th meeting orally revised the amendment to read: "The United Nations could, when it deems necessary, supervise these processes".

6. At the 1045th meeting, the representative of Guinea orally reintroduced the original amendment submitted by Togo and Tunisia but replaced the word "necessary" by the word "indispensable". Subsequently, at the same meeting, in response to appeals addressed to him by the sponsors of the original amendment, the representative of Guinea withdrew his amendment.

7. At the same meeting, the representative of Iran orally proposed an amendment to operative paragraph 2, to the effect that the words "the general considerations set out in part A and" should be inserted after the word "Approves".

8. At the 1045th meeting, the Committee voted on the draft resolution (A/C.4/L.648 and Add.1) and the annex thereto, and the amendment submitted by Togo and Tunisia (A/C.4/L.650) as orally revised

at the 1044th meeting. The representative of Haiti, who had expressed reservations concerning the principle of integration of a dependent territory with an independent State as a satisfactory way of achieving independence in conformity with the objectives of the Charter, asked for principles VI (c), VIII and IX to be put to the vote separately. The Committee decided to vote first separately on the various paragraphs in the annex. In the course of the vote, the representative of Iran withdrew his amendment. Following the adoption of the amendment to sub-paragraph (b) of principle IX and the adoption of the annex as a whole, the representative of the United Kingdom orally suggested a drafting change in operative paragraph 2 of the draft resolution to read "Approves the principles set out in section V, part B, of the report of the Special Committee of Six, as amended and as they appear in the annex to this resolution". The Committee agreed to this suggestion.

The amendment submitted by Togo and Tunisia (A/C.4/L.650) as orally revised was adopted by a roll-call vote of 38 to 24, with 26 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroun, Central African Republic, Chad, Congo (Brazzaville), Czechoslovakia, Ecuador, Ethiopia, Hungary, Indonesia, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Mali, Morocco, Niger, Pakistan, Panama, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Thailand, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Yugoslavia.

*Against:* Argentina, Australia, Austria, Belgium, Canada, China, Denmark, Dominican Republic, Finland, France, Greece, Ireland, Italy, Japan, Mexico, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Bolivia, Brazil, Burma, Cambodia, Ceylon, Chile, Colombia, Costa Rica, Cuba, Cyprus, El Salvador, Federation of Malaya, Ghana, Guatemala, Guinea, Haiti, India, Iran, Iraq, Israel, Nepal, Nigeria, Paraguay, Peru, Turkey, Venezuela.

Sub-paragraph (c) of principle VI contained in the annex to the draft resolution was adopted by 63 votes to none, with 19 abstentions.

Principle VI, as a whole, was adopted by 67 votes to none, with 22 abstentions.

Principle VIII was adopted by 69 votes to none, with 18 abstentions.

Principle IX, sub-paragraph (a) was adopted by 68 votes to none, with 19 abstentions.

Principle IX, sub-paragraph (b), as amended, was adopted by 57 votes to 5, with 24 abstentions.

Principle IX, as a whole, as amended, was adopted by 50 votes to 3, with 32 abstentions.

The principles annexed to the draft resolution, as a whole, as amended, were adopted by a roll-call vote of 66 to 3, with 19 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Austria, Bolivia, Brazil, Burma, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, Colombia, Congo (Brazzaville), Costa Rica, Cuba, Cyprus, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, In-

dia, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, United Arab Republic, Uruguay, Venezuela, Yugoslavia.

*Against:* Portugal, Spain, Union of South Africa.

*Abstaining:* Albania, Australia, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, China, Czechoslovakia, Dominican Republic, France, Hungary, Italy, Netherlands, New Zealand, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution (A/C.4/L.648 and Add.1) and the annex thereto, as a whole, as amended, was adopted by a roll-call vote of 62 to 3, with 19 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Austria, Bolivia, Brazil, Burma, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, Colombia, Costa Rica, Cuba, Cyprus, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, United Arab Republic, Uruguay, Venezuela, Yugoslavia.

*Against:* Portugal, Spain, Union of South Africa.

*Abstaining:* Albania, Australia, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, China, Czechoslovakia, Dominican Republic, France, Hungary, Italy, Netherlands, New Zealand, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

9. The text as approved by the Committee appears in paragraph 19 below as draft resolution I.

10. At the 1040th meeting, Afghanistan, Burma, Ceylon, Ghana, Guinea, India, Nepal and Nigeria jointly submitted a draft resolution (A/C.4/L.649) on the transmission of information under Article 73 e of the Charter. Under the terms of this draft resolution, the General Assembly would, *inter alia*: enumerate the territories under the administration of Spain and Portugal which it considered to be Non-Self-Governing Territories in the light of the provisions of Chapter XI of the Charter, General Assembly resolution 742 (VIII) of 27 November 1953 and the principles enumerated by the Special Committee of Six; request the Governments of Portugal and Spain to transmit information in accordance with Article 73 e of the Charter on these Territories; and urge the Governments of Portugal and Spain to ensure to the indigenous populations of these Territories the enjoyment of full freedom for democratic political activities which would accelerate their attainment of independence.

11. The Committee considered this draft resolution from its 1046th to its 1049th meetings, inclusive. At the 1046th meeting, the sponsors introduced a revised text of the draft resolution (A/C.4/L.649/Rev.1 and Rev.1/Corr.1) to take into account a statement made by the representative of Spain at the 1038th meeting on the

transmission of information under Article 73 e.<sup>4</sup> Also in the revised text, operative paragraph 1 of draft resolution A/C.4/L.649 was omitted. Iraq, Liberia, Libya and Senegal joined as co-sponsors (A/C.4/L.649/Rev.1/Add.1).

12. At the same meeting, the Ukrainian Soviet Socialist Republic submitted the following amendments (A/C.4/L.651):

"1. In the fourth paragraph of the preamble, delete the words 'with satisfaction', and add at the end of the paragraph the following: 'concerning the following Non-Self-Governing Territories: Ifni, West Sahara, Fernando Póo, Rio Muni, Canary Islands'.

"2. Insert, as operative paragraph 1, the following:

"1. *Urges* the Governments of Spain and Portugal to grant to the indigenous populations of the Non-Self-Governing Territories under their administration the enjoyment of full freedom for democratic political activities which would ensure their attainment of independence;".

"3. In operative paragraph 2, insert after the words 'concerning these Territories' the following: 'until they are granted full independence'.

"4. Delete operative paragraph 4."

13. At the 1048th meeting, the representative of Guinea orally proposed a drafting change in the list of territories enumerated as Non-Self-Governing Territories under the administration of Portugal, so that Cabinda, instead of being listed separately, would be listed with Angola as "Angola, including the enclave of Cabinda". This was accepted by the Committee.

14. The representative of the Ukrainian Soviet Socialist Republic did not insist on a vote on his second amendment in view of the fact that the representative of Guinea had stated during the discussion that a draft resolution would subsequently be submitted on the substance of that amendment.

15. At the same meeting, the representative of Spain, in further clarification of the position of his Government, stated that the Government of Spain had decided to transmit to the Secretary-General the information pertaining to the territories referred to in Chapter XI of the Charter. In view of this statement, the representative of Bulgaria orally proposed an amendment to the effect that the words "at the 1048th meeting" should be inserted in the fourth preambular paragraph, in which reference was made to the statement by Spain.

16. At the 1048th meeting, the Committee voted on the draft resolution (A/C.4/L.649/Rev.1 and Rev.1/Corr.1 and Rev.1/Add.1) and some of the amendments thereto submitted by the Ukrainian Soviet Socialist Republic (A/C.4/L.651). In consequence of the adoption of the draft resolution on the principles,<sup>5</sup> the Committee accepted a drafting change in operative paragraph 1 as suggested by the Chairman to delete the words "enumerated by the Special Committee of Six and".

The deletion of the words "with satisfaction" from the fourth preambular paragraph, called for in the first Ukrainian amendment (A/C.4/L.651, para. 1) was rejected by 50 votes to 11, with 11 abstentions.

The insertion of the words "at the 1048th meeting" in the fourth preambular paragraph, called for in the

amendment proposed orally by the representative of Bulgaria, was adopted by 57 votes to none, with 17 abstentions.

The addition of the words "concerning the following Non-Self-Governing Territories" to the fourth preambular paragraph, called for in the first Ukrainian amendment (A/C.4/L.651, para. 1) was rejected by 42 votes to 15, with 16 abstentions. In consequence, the Committee did not vote on the remaining part of the first Ukrainian amendment.

The fourth preambular paragraph, as a whole, as amended, was adopted by a roll-call vote of 54 to 8, with 13 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Burma, Cambodia, Canada, Chile, China, Colombia, Cuba, Cyprus, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, India, Indonesia, Iran, Iraq, Ireland, Israel, Japan, Lebanon, Liberia, Libya, Mexico, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Somalia, Spain, Sweden, Thailand, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

*Against:* Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Portugal, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*Abstaining:* Brazil, Chad, Dominican Republic, France, Hungary, Italy, Mali, Morocco, Romania, Togo, Tunisia, Union of South Africa, Yugoslavia.

The third preambular paragraph was adopted by 64 votes to none, with 11 abstentions.

In operative paragraph 1, the first part of the list of territories administered by Portugal, from "The Cape Verde Archipelago" to "Mozambique", as orally amended by Guinea, was adopted by 45 votes to 6, with 22 abstentions.

The remainder of the list of territories administered by Portugal was adopted by 44 votes to 6, with 24 abstentions.

Operative paragraph 1, as a whole, as orally revised and amended, was adopted by a roll-call vote of 50 to 6, with 19 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Chad, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Lebanon, Liberia, Libya, Mali, Morocco, Nigeria, Norway, Peru, Philippines, Poland, Romania, Saudi Arabia, Somalia, Sweden, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yugoslavia.

*Against:* Belgium, Brazil, France, Portugal, Spain, Union of South Africa.

*Abstaining:* Australia, Austria, Canada, Chile, China, Colombia, Dominican Republic, Guatemala, Italy, Japan, Mexico, Netherlands, New Zealand, Pakistan, Panama, Paraguay, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America.

The third Ukrainian amendment (A/C.4/L.651, para. 3), calling for the addition of the words "until they are granted full independence" to operative paragraph 2, was rejected by 28 votes to 21, with 21 abstentions.

<sup>4</sup> See A/C.4/453. The statement of the representative of Spain was further clarified at the 1048th meeting; see paragraph 15 of the present report.

<sup>5</sup> See para. 19, draft resolution I.

The fourth Ukrainian amendment (A/C.4/L.651, para. 4), calling for the deletion of operative paragraph 4 was rejected by a roll-call vote of 51 to 9, with 14 abstentions. The voting was as follows:

*In favour:* Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*Against:* Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Burma, Canada, Chile, China, Colombia, Cuba, Cyprus, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Haiti, India, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Libya, Mexico, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Spain, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

*Abstaining:* Brazil, Cambodia, Chad, Ecuador, France, Guinea, Indonesia, Mali, Morocco, Somalia, Togo, Union of South Africa, United Arab Republic, Yugoslavia.

Operative paragraph 4 of the draft resolution was adopted by 52 votes to 10, with 9 abstentions.

Operative paragraph 5 of the draft resolution was adopted by 51 votes to 3, with 19 abstentions.

The draft resolution (A/C.4/L.649/Rev.1, Rev.1/Corr.1 and Rev.1/Add.1), as a whole, as orally revised and amended, was adopted by a roll-call vote of 45 to 6, with 24 abstentions. The vote was as follows:

*In favour:* Afghanistan, Argentina, Bolivia, Burma, Cambodia, Chad, Cuba, Cyprus, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, India, Indonesia, Iran, Iraq, Ireland, Israel, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nigeria, Norway, Paraguay, Peru, Philippines, Saudi Arabia, Somalia, Sweden, Thailand, Togo, Tu-

nisia, Turkey, United Arab Republic, Venezuela, Yugoslavia.

*Against:* Belgium, Brazil, France, Portugal, Spain, Union of South Africa.

*Abstaining:* Albania, Australia, Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Czechoslovakia, Dominican Republic, Hungary, Italy, Japan, Netherlands, New Zealand, Pakistan, Panama, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

17. The representative of Portugal reserved the position of his Government.

18. The text as approved by the Committee appears in paragraph 19 below as draft resolution II.

### **Recommendations of the Fourth Committee**

19. The Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

#### *Draft resolution I*

PRINCIPLES WHICH SHOULD GUIDE MEMBERS IN DETERMINING WHETHER OR NOT AN OBLIGATION EXISTS TO TRANSMIT THE INFORMATION CALLED FOR UNDER ARTICLE 73 *e* OF THE CHARTER

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

#### *Draft resolution II*

TRANSMISSION OF INFORMATION UNDER ARTICLE 73 *e* OF THE CHARTER

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

## **ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 948th plenary meeting, on 15 December 1960, the General Assembly adopted draft resolutions I and II submitted by the Fourth Committee (A/4651, para. 19). For the final text, see resolutions 1541 (XV) and 1542 (XV), respectively, below.

### **Resolutions adopted by the General Assembly**

1541. (XV). PRINCIPLES WHICH SHOULD GUIDE MEMBERS IN DETERMINING WHETHER OR NOT AN OBLIGATION EXISTS TO TRANSMIT THE INFORMATION CALLED FOR UNDER ARTICLE 73 *e* OF THE CHARTER

*The General Assembly,*

*Considering* the objectives set forth in Chapter XI of the Charter of the United Nations,

*Bearing in mind* the list of factors annexed to General Assembly resolution 742 (VIII) of 27 November 1953,

*Having examined* the report of the Special Committee of Six on the Transmission of Information under Article 73 *e* of the Charter (A/4526), appointed under General Assembly resolution 1467 (XIV) of 12 December 1959 to study the principles which should guide Mem-

bers in determining whether or not an obligation exists to transmit the information called for in Article 73 *e* of the Charter and to report on the results of its study to the Assembly at its fifteenth session,

1. *Expresses its appreciation* of the work of the Special Committee of Six on the Transmission of Information under Article 73 *e* of the Charter;

2. *Approves* the principles set out in section V, part B, of the report of the Committee, as amended and as they appear in the annex to the present resolution;

3. *Decides* that these principles should be applied in the light of the facts and the circumstances of each case to determine whether or not an obligation exists to transmit information under Article 73 *e* of the Charter.

948th plenary meeting,  
15 December 1960.

## ANNEX

PRINCIPLES WHICH SHOULD GUIDE MEMBERS IN DETERMINING WHETHER OR NOT AN OBLIGATION EXISTS TO TRANSMIT THE INFORMATION CALLED FOR IN ARTICLE 73 *e* OF THE CHARTER OF THE UNITED NATIONS

*Principle I*

The authors of the Charter of the United Nations had in mind that Chapter XI should be applicable to territories which were then known to be of the colonial type. An obligation exists to transmit information under Article 73 *e* of the Charter in respect of such territories whose peoples have not yet attained a full measure of self-government.

*Principle II*

Chapter XI of the Charter embodies the concept of Non-Self-Governing Territories in a dynamic state of evolution and progress towards a "full measure of self-government". As soon as a territory and its peoples attain a full measure of self-government, the obligation ceases. Until this comes about, the obligation to transmit information under Article 73 *e* continues.

*Principle III*

The obligation to transmit information under Article 73 *e* of the Charter constitutes an international obligation and should be carried out with regard to the fulfilment of international law.

*Principle IV*

*Prima facie* there is an obligation to transmit information in respect of a territory which is geographically separate and is distinct ethnically and/or culturally from the country administering it.

*Principle V*

Once it has been established that such a *prima facie* case of geographical and ethnical or cultural distinctness of a territory exists, other elements may then be brought into consideration. These additional elements may be, *inter alia*, of an administrative, political, juridical, economic or historical nature. If they affect the relationship between the metropolitan State and the territory concerned in a manner which arbitrarily places the latter in a position or status of subordination, they support the presumption that there is an obligation to transmit information under Article 73 *e* of the Charter.

*Principle VI*

A Non-Self-Governing Territory can be said to have reached a full measure of self-government by:

- (a) Emergence as a sovereign independent State;
- (b) Free association with an independent State; or
- (c) Integration with an independent State.

*Principle VII*

(a) Free association should be the result of a free and voluntary choice by the peoples of the territory concerned expressed through informed and democratic processes. It should be one which respects the individuality and the cultural characteristics of the territory and its peoples, and retains for the peoples of the territory which is associated with an independent State the freedom to modify the status of that territory through the expression of their will by democratic means and through constitutional processes.

(b) The associated territory should have the right to determine its internal constitution without outside interference, in accordance with due constitutional processes and the freely expressed wishes of the people. This does not preclude consultations as appropriate or necessary under the terms of the free association agreed upon.

*Principle VIII*

Integration with an independent State should be on the basis of complete equality between the peoples of the erstwhile

Non-Self-Governing Territory and those of the independent country with which it is integrated. The peoples of both territories should have equal status and rights of citizenship and equal guarantees of fundamental rights and freedoms without any distinction or discrimination; both should have equal rights and opportunities for representation and effective participation at all levels in the executive, legislative and judicial organs of government.

*Principle IX*

Integration should have come about in the following circumstances:

(a) The integrating territory should have attained an advanced stage of self-government with free political institutions, so that its peoples would have the capacity to make a responsible choice through informed and democratic processes;

(b) The integration should be the result of the freely expressed wishes of the territory's peoples acting with full knowledge of the change in their status, their wishes having been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage. The United Nations could, when it deems it necessary, supervise these processes.

*Principle X*

The transmission of information in respect of Non-Self-Governing Territories under Article 73 *e* of the Charter is subject to such limitation as security and constitutional considerations may require. This means that the extent of the information may be limited in certain circumstances, but the limitation in Article 73 *e* cannot relieve a Member State of the obligations of Chapter XI. The "limitation" can relate only to the quantum of information of economic, social and educational nature to be transmitted.

*Principle XI*

The only constitutional considerations to which Article 73 *e* of the Charter refers are those arising from constitutional relations of the territory with the Administering Member. They refer to a situation in which the constitution of the territory gives it self-government in economic, social and educational matters through freely elected institutions. Nevertheless, the responsibility for transmitting information under Article 73 *e* continues, unless these constitutional relations preclude the Government or parliament of the Administering Member from receiving statistical and other information of a technical nature relating to economic, social and educational conditions in the territory.

*Principle XII*

Security considerations have not been invoked in the past. Only in very exceptional circumstances can information on economic, social and educational conditions have any security aspect. In other circumstances, therefore, there should be no necessity to limit the transmission of information on security grounds.

## 1542 (XV). TRANSMISSION OF INFORMATION UNDER ARTICLE 73 *e* OF THE CHARTER

*The General Assembly,*

*Recalling* that, by resolution 742 (VIII) of 27 November 1953, the General Assembly approved a list of factors to be used as a guide in determining whether a Territory is or is no longer within the scope of Chapter XI of the Charter of the United Nations,

*Recalling also* that differences of views arose among Member States concerning the status of certain territories under the administrations of Portugal and Spain and described by these two States as "overseas provinces" of the metropolitan State concerned, and that with a view to resolving those differences the General Assembly, by resolution 1467 (XIV) of 12 December 1959,

appointed the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter to study the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e,

*Recognizing* that the desire for independence is the rightful aspiration of peoples under colonial subjugation and that the denial of their right to self-determination constitutes a threat to the well-being of humanity and to international peace,

*Recalling with satisfaction* the statement of the representative of Spain at the 1048th meeting of the Fourth Committee, that his Government agrees to transmit information to the Secretary-General in accordance with the provisions of Chapter XI of the Charter,

*Mindful* of its responsibilities under Article 14 of the Charter,

*Being aware* that the Government of Portugal has not transmitted information on the territories under its administration which are enumerated in operative paragraph 1 below and has not expressed any intention of doing so, and because such information as is otherwise available in regard to the conditions in these territories gives cause for concern,

1. *Considers* that, in the light of the provisions of Chapter XI of the Charter, General Assembly resolution 742 (VIII) and the principles approved by the Assembly in resolution 1541 (XV) of 15 December 1960, the territories under the administration of Portugal listed hereunder are Non-Self-Governing Territories within the meaning of Chapter XI of the Charter:

- (a) The Cape Verde Archipelago;
- (b) Guinea, called Portuguese Guinea;
- (c) São Tomé and Príncipe, and their dependencies;
- (d) São João Batista de Ajudá;
- (e) Angola, including the enclave of Cabinda;
- (f) Mozambique;
- (g) Goa and dependencies, called the State of India;
- (h) Macau and dependencies;
- (i) Timor and dependencies;

2. *Declares* that an obligation exists on the part of the Government of Portugal to transmit information under Chapter XI of the Charter concerning these territories and that it should be discharged without further delay;

3. *Requests* the Government of Portugal to transmit to the Secretary-General information in accordance with the provisions of Chapter XI of the Charter on the conditions prevailing in the territories under its administration enumerated in paragraph 1 above;

4. *Requests* the Secretary-General to take the necessary steps in pursuance of the declaration of the Government of Spain that it is ready to act in accordance with the provisions of Chapter XI of the Charter;

5. *Invites* the Governments of Portugal and Spain to participate in the work of the Committee on Information from Non-Self-Governing Territories in accordance with the terms of paragraph 2 of General Assembly resolution 1332 (XIII) of 12 December 1958.

*948th plenary meeting,  
15 December 1960.*

## CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 38 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/2428	Report of the <i>Ad Hoc</i> Committee on Factors (Non-Self-Governing Territories)	<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 33</i>
A/4343	Report of the Fourth Committee	<i>Ibid., Fourteenth Session, Annexes, agenda item 36</i>
A/4502 and Corr.1	Declaration by the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics on the grant of independence to colonial countries and peoples	<i>Ibid., Fifteenth Session, Annexes, agenda item 87</i>
A/AC.100/1 and Add.1	Replies of Governments indicating their views on the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations	Mimeographed
A/AC.100/2 and Add.1 and 2	The application of Chapter XI and the obligations of Members to transmit information under Article 73 e of the Charter of the United Nations: an account of discussions prepared by the Secretariat	Ditto
A/AC.100/L.1	Special Committee of Six on the Transmission of Information under Article 73 e of the Charter: draft report	Ditto
A/AC.100/SR.1-14	Summary records of the first to the fourteenth meetings of the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter	Ditto
A/C.4/331 and Add.1	Note by the Secretary-General	<i>Official Records of the General Assembly, Eleventh Session, Annexes, agenda item 34</i>
A/C.4/375	General questions relating to the transmission and examination of information: note by the Secretary-General	<i>Ibid., Thirteenth Session, Annexes, agenda item 36</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.4/385/Rev.1	General questions relating to the transmission and examination of information: note by the Secretary-General	<i>Ibid.</i>
A/C.4/450	Statement made by the representative of India at the 1031st meeting of the Fourth Committee	Mimeographed; for summary see <i>Official Records of the General Assembly, Fifteenth Session, Fourth Committee, 1031st meeting</i> , paras. 1-6
A/C.4/451	Statement made by the representative of Mexico at the 1031st meeting of the Fourth Committee	<i>Idem</i> , paras. 8-25
A/C.4/452 and Corr.1	Statement made by the representative of the United Kingdom at the 1035th meeting of the Fourth Committee	<i>Idem</i> , 1035th meeting, paras. 19 and 20
A/C.4/453	Statements made by the representative of Spain at the 1038th, 1046th and 1047th meetings of the Fourth Committee	<i>Idem</i> , 1038th meeting, paras. 20-28; 1046th meeting, para. 1; 1047th meeting, paras. 1-3
A/C.4/L.643 and Add.1 and 2	Racial discrimination in Non-Self-Governing Territories—Afghanistan, Bolivia, Ethiopia, Ghana, Guinea, India, Iraq, Liberia, Morocco, Nepal, Nigeria, Panama, Senegal, Somalia, Sudan, Togo and United Arab Republic: draft resolution	For the text of this document, see <i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 16, Vol. I</i> , resolution 1536 (XV)
A/C.4/L.650	Togo and Tunisia: amendment to document A/C.4/L.648 and Add.1	See A/4651, para. 5
A/C.4/L.651	Ukrainian Soviet Socialist Republic: amendments to document A/C.4/L.649/Rev.1, Rev.1/Corr.1 and Rev.1/Add.1	<i>Ibid.</i> , para. 12
A/C.4/L.656	Draft report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1087th meeting, see <i>Official Records of the General Assembly, Fifteenth Session, Annexes</i> , agenda items 37, 39, 40 and 41, document A/4650
A/C.4/L.657	Draft report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1087th meeting, see A/4651



**Agenda item 42: Election to fill a vacancy in the membership of the Committee on Information from Non-Self-Governing Territories\***

**C O N T E N T S**

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\* For the records of the meetings at which this item was considered, see *Official Records of the General Assembly, Fifteenth Session, Fourth Committee*, 1095th meeting; and *ibid.*, *Plenary Meetings*, 960th meeting.

**DOCUMENT A/4679**

**Report of the Fourth Committee**

[*Original text: English*]  
[19 December 1960]

1. At its 881st plenary meeting, on 1 October 1960, the General Assembly allocated to the Fourth Committee the following item on its agenda:

“42. Election to fill a vacancy in the membership of the Committee on Information from Non-Self-Governing Territories.”

2. In 1960 the vacancies in the membership of the Committee on Information from Non-Self-Governing Territories arose from: (a) the expiration of the term of office of Brazil; (b) the achievement of independence of the Congo (Leopoldville), as a result of which Belgium ceased to be a member of the Committee; and (c) the adoption by the General Assembly of resolution 1542 (XV) on 15 December 1960 by which the Governments of Portugal and Spain were invited to participate in the work of the Committee. The Fourth Committee was therefore required to fill the two vacancies from among the non-Administering Members.

3. At its 1095th meeting, the Fourth Committee took up this item. The representative of the Philippines raised the question of the legal interpretation regarding the composition of the Committee on Information from Non-Self-Governing Territories as set out in General Assembly resolution 1332 (XIII) of 12 December 1958. He wondered whether the Fourth Committee was at

present in a position to establish the number of vacancies to be filled in the Committee on Information.

4. The representative of the United Kingdom stated that it was the opinion of his Government that the proper course at the present time would be to elect only one member of the Committee.

5. The representatives of Australia and New Zealand also expressed the reservations of their respective Governments.

6. The representative of Portugal reserved the position of his Government as it had not yet had time to decide on the action it might take in the light of General Assembly resolution 1542 (XV) of 15 December 1960.

7. The representative of India stated that, in the view of his delegation, General Assembly resolution 1332 (XIII) and the previous resolutions renewing the Committee on Information, as well as resolution 1542 (XV) adopted on 15 December 1960, formed a proper basis for the election of two members to the Committee on Information from Non-Self-Governing Territories.

8. At the same meeting the Fourth Committee, on behalf of the General Assembly, under rules 94 and 96 of the rules of procedure, elected Mexico and Liberia to fill the two vacancies in membership of the Committee on Information from Non-Self-Governing Territories.

**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 960th plenary meeting, on 20 December 1960, the General Assembly confirmed the election by the Fourth Committee of Liberia and Mexico to fill the vacancies in the membership of the Committee on Information from Non-Self-Governing Territories.



**Agenda item 43: Question of South West Africa:\***

- (a) Report of the Committee on South West Africa;
- (b) Report on negotiations with the Government of the Union of South Africa in accordance with General Assembly resolution 1360 (XIV);
- (c) Election of three members of the Committee on South West Africa

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Fourth Committee*, 1004th, 1025th, 1049th to 1065th, 1073rd to 1076th, 1083rd, 1098th, 1100th to 1103rd, 1107th and 1108th, 1110th to 1116th, 1118th, 1128th meetings; *ibid.*, *Fifth Committee*, 882nd meeting; and *ibid.*, *Plenary meetings*, 954th, 963rd and 979th meetings.

## PART I OF THE SESSION

## DOCUMENT A/C.4/L.652

## Ghana, Nigeria, Sudan: draft resolution

[Original text: English]  
[23 November 1960]

*The General Assembly,*

Recalling its resolution 1361 (XIV) of 17 November 1959, in which the Assembly drew the attention of Member States to the conclusions of the Special Report of the Committee on South West Africa<sup>1</sup> concerning the legal action open to Member States to submit to the International Court of Justice any dispute with the Union of South Africa relating to the interpretation or the application of the provisions of the Mandate for the Territory of South West Africa, if such dispute cannot be settled by negotiation,

Noting with grave concern that the administration of the Territory, in recent years, has been conducted in a manner contrary to the Mandate, the Charter of the United Nations, the Universal Declaration of Human Rights, and the resolutions of the General Assembly, including resolution 449 A (V) of 13 December 1950, by which the General Assembly accepted the advisory opinion of 11 July 1950 of the International Court of Justice concerning South West Africa,

Noting that all negotiations and efforts on the part of the General Assembly, of its several committees and agencies constituted and authorized for this purpose, and of Member States acting through such committees and agencies, have failed to bring about compliance on the part of the Government of the Union of South Africa with its obligations under the Mandate, as is evidenced by the following reports of said committees and agencies to the General Assembly, *inter alia*:

(a) Reports of the *Ad Hoc* Committee on South West Africa to the Sixth, Seventh and Eighth General Assemblies,<sup>2</sup>

<sup>1</sup> Official Records of the General Assembly, Twelfth Session, Supplement No. 12A, document A/3625.

<sup>2</sup> Official Records of the General Assembly, Sixth Session, Annexes, agenda item 38, document A/1901 and Add.1-3; *ibid.*, Eighth Session, Annexes, agenda item 36, documents A/2261 and Add.1 and A/2475 and Add.1 and 2.

(b) Reports of the Committee on South West Africa to the Ninth to the Fifteenth General Assemblies, inclusive,<sup>3</sup>

(c) Reports of the Good Offices Committee on South West Africa to the Thirteenth and Fourteenth General Assemblies,<sup>4</sup>

Noting the aforesaid reports, and in particular the reports of the Committee on South West Africa concerning the failure of negotiations with the Government of the Union and the Committee's conclusions that the Union has at all times declined "to co-operate in any way with the Committee in the discharge of its functions",

1. Takes note with approval of the observations of the Committee on South West Africa concerning the administration of the Territory as set out in the Committee's report to the fifteenth session of the General Assembly;

2. Concludes that the dispute which has arisen between Ethiopia, Liberia and other Member States on the one hand, and the Union of South Africa on the other, relating to the interpretation and application of the Mandate has not been resolved by negotiations and that the Government of the Union of South Africa has not shown willingness to settle the dispute through further negotiation in accordance with resolution 1360 (XIV);

3. Notes that Ethiopia and Liberia on 4 November filed concurrent Applications in the International Court of Justice instituting contentious proceedings against the Union of South Africa.

<sup>3</sup> *Ibid.*, Ninth Session, Supplement No. 14 (A/2666 and Corr.1); *ibid.*, Ninth Session, Annexes, agenda item 34, document A/2666/Add.1; *ibid.*, Tenth Session, Supplement No. 12 (A/2913); *ibid.*, Tenth Session, Annexes, agenda item 30, documents A/2913/Add.1 and 2; *ibid.*, Eleventh Session, Supplement No. 12 (A/3151); *ibid.*, Twelfth Session, Supplement No. 12 (A/3626); *ibid.*, Thirteenth Session, Supplement No. 12 (A/3906 and Add.1); *ibid.*, Fourteenth Session, Supplement No. 12 (A/4191); *ibid.*, Fifteenth Session, Supplement No. 12 (A/4464).

<sup>4</sup> *Ibid.*, Thirteenth Session, Annexes, agenda item 39, document A/3900; *ibid.*, Fourteenth Session, Annexes, agenda item 38, document A/4224.

## DOCUMENT A/C.4/L.653

## Guinea, Libya, Mali, Morocco, Togo and Tunisia: draft resolution

[Original text: French]  
[24 November 1960]

*The General Assembly,*

Having recommended, in previous resolutions, that the Territory of South West Africa should be placed under the International Trusteeship System, and having repeatedly invited the Government of the Union of South Africa to propose for the consideration of the General Assembly, a trusteeship agreement for South West Africa,

Having accepted, in resolution 449 A (V) of 13 December 1950, the advisory opinion of 11 July 1950

of the International Court of Justice on the question of South West Africa.

Taking note of the refusal of the Government of the Union of South Africa to modify its administration of the Territory in conformity with the Purposes and Principles of the Charter and to enter into negotiation with the United Nations, through the Committee on South West Africa, with a view to placing the Mandated Territory under the International Trusteeship System,

*Noting with grave concern* that the administration of the Territory, in recent years, has been conducted in a manner increasingly contrary to the Mandate, the Charter of the United Nations, the Universal Declaration of Human Rights, the Advisory Opinions of the International Court of Justice and the resolutions of the General Assembly,

*Considering* that all the efforts of the United Nations to modify the present principles and practices of that administration and to ensure the well-being and security of the inhabitants of the Territory have been to no avail,

*Considering* with concern that the present situation in South West Africa constitutes a serious threat to international peace and security,

*Considering* that most of the Mandated Territories which were placed under the International Trusteeship System have acceded to national independence,

*Convinced* that the Territory of South West Africa has an inalienable right to independence and to the exercise of its full national sovereignty,

1. *Regrets* that the Government of the Union of South Africa has so far failed to respond to the repeated appeals of the General Assembly asking it to revise a policy which infringes the fundamental rights and freedoms of the inhabitants of South West Africa;

2. *Denounces* the Government of the Union of South Africa for failing to comply with its obligations under the International Mandate of 17 December 1920 for South West Africa;

3. *Decides* to entrust the administrative powers to an administrative commission composed of representatives of Member States appointed by the General Assembly, with a view to creating as speedily as possible the conditions necessary for South West Africa to accede:

(a) To a wide measure of internal self-government, in particular through the institution of a parliament and government based on the universal suffrage of the indigenous population;

(b) To independence as soon as possible;

4. *Requests* the Secretary-General to ensure the execution of this resolution.

## DOCUMENTS A/C.4/L.653/REV.1 AND REV.1/CORR.1\* AND REV.1/ADD.1\*\*

**Chad, Ghana, Guinea, Libya, Morocco, Nigeria, Sudan, Togo, Tunisia and United Arab Republic:**  
revised draft resolution

[Original text: French]  
[30 November 1960]

*The General Assembly,*

*Having recommended*, in previous resolutions, that the Territory of South West Africa should be placed under the International Trusteeship System, and having repeatedly invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a trusteeship agreement for South West Africa,

*Having accepted*, in resolution 449 A (V) of 13 December 1950, the advisory opinion of 11 July 1950 of the International Court of Justice on the question of South West Africa,

*Taking note* of the refusal of the Government of the Union of South Africa to modify its administration of the Territory in conformity with the Purposes and Principles of the Charter and to enter into negotiations with the United Nations, through the Committee on South West Africa, with a view to placing the Mandated Territory under the International Trusteeship System,

*Noting with grave concern* that the administration of the Territory, in recent years, has been conducted in a manner increasingly contrary to the Mandate, the Charter of the United Nations, the Universal Declaration of Human Rights, the Advisory Opinions of the International Court of Justice and the resolutions of the General Assembly,

*Considering* that all the efforts of the United Nations to modify the present principles and practices of that administration and to ensure the well-being and security of the inhabitants of the Territory have been to no avail,

*Considering* with concern that the present situation in South West Africa constitutes a serious threat to international peace and security,

*Considering* that most of the Mandated Territories which were placed under the International Trusteeship System have acceded to national independence,

*Convinced* that the Territory of South West Africa has an inalienable right to independence and to exercise of its full national sovereignty,

1. *Regrets* that the Government of the Union of South Africa has so far failed to respond to the repeated appeals of the General Assembly asking it to revise a policy which infringes the fundamental rights and freedoms of the inhabitants of South West Africa;

2. *Deplores and disapproves* the policy practised by the Government of the Union of South Africa contrary to its obligations under the International Mandate of 17 December 1920 for South West Africa;

3. *Invites* the Committee on South West Africa to go to South West Africa immediately with a view to ascertaining and submitting to the General Assembly:

(a) The conditions for restoring a climate of peace and security;

(b) The steps which would enable the indigenous inhabitants of South West Africa to achieve a wide measure of internal self-government designed to lead them to complete independence as soon as possible;

4. *Urges* the Government of the Union of South Africa to facilitate the mission of the Committee on South West Africa;

5. *Requests* the Secretary-General to provide for the execution of this resolution and to report to the General Assembly at its sixteenth session.

\* Incorporating document A/C.4/L.653/Rev.1/Corr.1

\*\* In A/C.4/L.653/Rev.1/Add.1, dated 2 December 1960, Chad, Ghana, Nigeria, Sudan and United Arab Republic are added to the list of sponsors of the draft resolution.

## DOCUMENT A/C.4/L.658

## Statement by the Secretary-General of the financial implications of the draft resolution contained in document A/C.4/L.653/Rev.1

[Original text: English]  
[5 December 1960]

1. The financial implications of the draft resolution contained in document A/C.4/L.653/Rev.1 are submitted in accordance with rule 154 of the Rules of Procedure of the General Assembly. The implications arise from operative paragraph 3 of the draft which invited the Committee on South West Africa to go to South West Africa immediately with a view to reporting to the General Assembly.

2. The estimate of costs is based on the assumptions that the Committee's membership of nine would be drawn from the Headquarters delegations of the nine Governments members of the Committee, that six Secretariat officials would accompany the Committee to South West Africa, and that the group would spend one month in the

territory and two weeks at Headquarters in the preparation of its report.

3. The total estimated cost is \$46,000 to be incurred for:

	\$
(a) Travel and subsistence of Members	25,000
(b) Travel and subsistence of Secretariat	13,000
(c) Local transportation, communications, supplies and services	8,000
	<u>46,000</u>

4. The incidence of the charges between the 1960 and 1961 budgets would depend on the date of the departure of the Committee from Headquarters.

## DOCUMENT A/C.4/L.659

## Bulgaria: amendments to documents A/C.4/L.653/Rev.1, Rev.1/Corr.1 and Add.1

[Original text: English]  
[5 December 1960]

1. In operative paragraph 3 (b):

- (a) Replace the words "a wide measure of" by the word "immediate";
- (b) Insert the word "speedily" after the word "designed";
- (c) Delete the words "as soon as possible".

2. Replace operative paragraph 5 by the following:

"Requests the Committee on South West Africa to make the necessary arrangements for its immediate departure to South West Africa and to report on the implementation of this paragraph to the General Assembly at its resumed fifteenth session."

## DOCUMENT A/C.4/L.661

## India: amendments to document A/C.4/L.653/Rev.2

[Original text: English]  
[6 December 1960]

1. Third paragraph of the preamble: insert after the words "*Taking note*", the words "*with deep regret*".

2. Fourth paragraph of the preamble: insert the word "particularly" before "in recent years".

3. Fifth paragraph of the preamble: delete the words "modify . . . and security" and in their place substitute the following:

"persuade the Government of the Union of South Africa to administer the territory in a manner which would ensure the well-being and the interests".

4. Eighth paragraph of the preamble: for the word "*Convinced*", substitute the word "*Recognizes*". This will then become the first operative paragraph.

5. Existing operative paragraph 1: (a) add the word "indigenous" before the word "inhabitants"; (b) at the end of the paragraph, add the following:

"and imposes upon them disabilities of various kinds, hindering their political, economic, educational and social advancement."

6. Between existing operative paragraphs 2 and 3, insert the following operative paragraph:

"3. *Deprecates* the application, in the territory of South West Africa, of the policy of Apartheid, and *calls upon* the Government of the Union to revoke or rescind immediately all laws and regulations based on that policy."

7. Revise the present operative paragraph 3 as follows:

"*Invites* the Committee on South West Africa to adopt all possible means, including, in addition to its tasks, a visit to the Territory itself, to further ascertain the facts of the prevailing situation there, and to report to the General Assembly, not later than at its 16th Session, its findings and the steps it would recommend for creating an atmosphere of peace and harmony and for enabling the inhabitants of the Territory to achieve a wide measure of internal self-government designed to lead them to complete independence as soon as possible."

8. Existing operative paragraph 4: Before the word "*Urges*", add the words "*Requests and*".

9. Delete operative paragraph 5.

10. Operative paragraph 6: between the word "provide" and the word "for" insert the word "facilities".

## DOCUMENT A/C.5/853

**Financial implications of draft resolution VI submitted by the Fourth Committee in document A/4643: note by the Secretary-General**

[Original text: English]  
[9 December 1960]

1. The Fourth Committee at its 1076th meeting on 6 December 1960 adopted a draft resolution (A/4643, para. 47, draft resolution VI), inviting the Committee on South West Africa to go to South West Africa immediately with a view to reporting to the General Assembly.

2. The financial implications of this draft resolution have been prepared on the assumptions that the Committee's membership of nine would be drawn from the Headquarters delegations of the nine Governments members of the Committee and would spend one month in the territory and two weeks at Headquarters in the preparation of its report.

3. The estimated costs of the mission are:

	US dollars
(a) Subsistence and travel of nine members from Headquarters to South West Africa and return	25,000
(b) Subsistence and travel of accompanying Secretariat staff comprising:	
1 Principal Secretary	13,000
2 Political Affairs Officers	
1 Administrative Officer	
1 Interpreter	
1 Secretary	
(c) Local road travel of 2,000 miles by five vehicles (\$3,000); local air/rail travel of 2,000 miles involving charter plane where scheduled air or rail is not available (\$3,500); local interpreters, office rental, communications and supplies (\$1,500)	8,000
	46,000

4. If the draft resolution is approved, the General Assembly will have the alternative of providing funds by means of a supplementary appropriation under section 18—Special missions—of the 1961 budget or by means of a specific authorization for the Secretary-General to enter into commitments within a fixed sum under the resolution relating to unforeseen and extraordinary expenses for 1961.

**DOCUMENTS A/4643 AND ADD.1****Report of the Fourth Committee****Document A/4643**

[Original text: English]  
[13 December 1960]

1. At its 881st meeting, on 1 October 1960, the General Assembly allocated to the Fourth Committee the following item on its agenda:

“43. Question of South West Africa:

“(a) Report of the Committee on South West Africa (A/4464);

“(b) Report on negotiations with the Government of the Union of South Africa in accordance with General Assembly resolution 1360 (XIV) (*ibid.*, paras. 11-18);

“(c) Election of three members of the Committee on South West Africa.”

2. The present report covers the Committee's consideration of sub-items (a) and (b). Sub-item (c) will be dealt with in an addendum to the present report.

3. At its 1004th, 1025th and 1051st meetings, on 6 and 27 October and 15 November 1960, the Committee considered and granted requests for hearings submitted by eight petitioners (A/C.4/443 and Add.1-2).

4. It granted hearings to six of the petitioners by four roll-call votes at the 1004th meeting, as follows:

(a) Reverend Michael Scott, by a roll-call vote of 70 to 1, with 8 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, Niger, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Venezuela, Yugoslavia.

*Against:* Union of South Africa.

*Abstaining:* Australia, Belgium, Burma, France, New Zealand, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland.

(b) Mr. Jariretundu Kozonguizi, by a roll-call vote of 70 to 1, with 8 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Ceylon, Chad, Chile, Colombia, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, Niger, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Venezuela, Yugoslavia.

*Against:* Union of South Africa.

*Abstaining:* Australia, Belgium, China, France, New Zealand, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland.

(c) Mr. Mburumba Kerina, by a roll-call vote of 71 to 1, with 7 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, Niger, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Venezuela, Yugoslavia.

*Against:* Union of South Africa.

*Abstaining:* Australia, Belgium, France, New Zealand, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland.

(d) Mr. Jacob Kuhangwa, Mr. Sam Nujoma, and the Reverend Markus Kooper, by a roll-call vote of 71 to 1, with 7 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Dahomey, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, Niger, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Venezuela, Yugoslavia.

*Against:* Union of South Africa.

*Abstaining:* Australia, Belgium, France, New Zealand, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland.

5. The Committee granted a hearing to Mr. Van Ismael Fortune (A/C.4/443/Add.1) at its 1025th meeting, by 44 votes to 1, with 6 abstentions.

6. The eighth request for a hearing, submitted by Mr. Oliver Tambo (A/C.4/443/Add.2) was granted by the Committee at its 1051st meeting, without vote, following an objection by the representative of the Union of South Africa.

7. At the 1049th meeting, on 14 November 1960, the representative of the Union of South Africa informed the Committee that, since the inclusion of the item on the agenda of the General Assembly, an application instituting contentious proceedings in the International Court of Justice had been filed against the Union Government by the Governments of Ethiopia and Liberia.<sup>5</sup> He proposed that the Committee should not proceed with the discussion of the item while the application was pending before the International Court and was thus, in his opinion, *sub judice*.

8. The proposal, put to the vote in accordance with rule 117 of the rules of procedure, was rejected by a roll-call vote of 67 to 1, with 11 abstentions. The voting was as follows:

*In favour:* Union of South Africa.

*Against:* Afghanistan, Albania, Argentina, Austria, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic, Ceylon, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Nigeria, Norway, Pakistan, Panama, Paraguay, Philippines, Poland, Romania, Saudi Arabia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Venezuela, Yugoslavia.

*Abstaining:* Australia, Belgium, Canada, China, France, Italy, Netherlands, New Zealand, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland.

9. At the 1050th meeting, the Rapporteur of the Committee on South West Africa introduced the report of that Committee (A/4464).

10. From the 1050th to 1053rd meetings, the petitioners addressed the Fourth Committee. Mr. Jariretundu Kozonguizi and the Reverend Markus Kooper made statements at the 1050th meeting, the Reverend Michael Scott and Mr. Mburumba Kerina at the 1051st meeting, Messrs. Jacob Kuhangwa, Sam Nujoma and Van Ismael Fortune at the 1052nd meeting, and Mr. Oliver Tambo at the 1053rd meeting. Petitioners answered questions put to them by members of the Committee during the 1052nd to 1057th meetings. In connexion with the hearing of petitioners, the Committee had before it a letter dated 20 October 1960 from the Permanent Representative of the Union of South Africa to the United Nations addressed to the Chairman of the Fourth Committee (A/C.4/447).

11. The general debate on the item took place from the 1057th to 1063rd meetings, from 18 to 24 November 1960.

12. During its subsequent consideration of the item, the Committee had before it statements made by the representatives of Guinea (A/C.4/458) and Mexico (A/C.4/459) at the 1063rd meeting, as well as a letter

<sup>5</sup> I.C.J., *South West Africa Case, Application instituting proceedings* (1960 General list, No. 47).

dated 28 November 1960 to the Chairman of the Fourth Committee from four of the above-mentioned petitioners, Messrs. Nujoma, Fortune, Kuliangua and Kerina (A/C.4/461).

13. At the 1059th, 1063rd, 1064th and 1065th meetings, the Committee began its consideration of draft resolutions relating to the item. After suspending consideration of the item at its 1065th meeting on 25 November 1960, the Committee continued the consideration of draft resolutions relating to the item at its 1073rd to 1076th meetings on 5 and 6 December 1960. During the course of these meetings, the Committee considered draft resolutions relating to the following matters:

- I. Petitions relating to the Territory of South West Africa;
- II. Political freedom in South West Africa;
- III. Legal action to ensure the fulfilment of the obligations assumed by the Union of South Africa in respect of the Territory of South West Africa;
- IV. Assistance of the specialized agencies and of the United Nations Children's Fund in the economic, social and educational development of South West Africa;
- V. The Windhoek Location;
- VI. Question of South West Africa;
- VII. Appeal to Member States with respect to the situation in the Territory of South West Africa.

14. A detailed account of the Committee's consideration of the above-mentioned draft resolutions and of amendments thereto is given below in sections I to VII.

#### I. PETITIONS RELATING TO THE TERRITORY OF SOUTH WEST AFRICA

15. The Committee had before it a draft resolution proposed by the Committee on South West Africa (A/4464, annex III) concerning a number of petitions which raised questions relating to various aspects of the administration and of conditions in the Territory upon which the Committee had presented a report. By this draft resolution, the General Assembly would draw the attention of the petitioners concerned to the report and observations of the Committee on South West Africa regarding conditions in the Territory and to the action taken by the General Assembly on that report.

16. The draft resolution submitted by the Committee on South West Africa was adopted by the Fourth Committee at its 1063rd meeting, on 24 November 1960, by 60 votes to none, with 6 abstentions.

17. The disposition of draft resolution I is set forth in paragraph 47 of the present report.

#### II. POLITICAL FREEDOM IN SOUTH WEST AFRICA

18. A draft resolution concerning political freedom in South West Africa was proposed by the Committee on South West Africa (A/4464, annex IV), which thereby recommended, *inter alia*, that the General Assembly urge the Government of the Union of South Africa to instruct the competent authorities in the Mandated Territory to cease the arbitrary imprisoning and deporting of Africans, including the leaders and members of the South West Africa Peoples Organisation, and to ensure the free exercise of political rights and freedom of expression by all sectors of the population.

19. The draft resolution submitted by the Committee on South West Africa was adopted by the Fourth Committee at its 1063rd meeting, on 24 November 1960, by a roll-call vote of 62 to none, with 8 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Central African Republic, Ceylon, Chile, China, Cuba, Cyprus, Denmark, Ecuador, El Salvador, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Japan, Jordan, Lebanon, Mali, Mexico, Morocco, Niger, Norway, Pakistan, Panama, Paraguay, Philippines, Poland, Romania, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Belgium, France, Italy, Netherlands, New Zealand, Portugal, United Kingdom of Great Britain and Northern Ireland.

20. The disposition of draft resolution II is set forth in paragraph 47 of the present report.

#### III. LEGAL ACTION TO ENSURE THE FULFILMENT OF THE OBLIGATIONS ASSUMED BY THE UNION OF SOUTH AFRICA IN RESPECT OF THE TERRITORY OF SOUTH WEST AFRICA

21. At the 1063rd meeting, Ghana, Nigeria and the Sudan submitted a joint draft resolution (A/C.4/L.652), which, as later revised (A/C.4/L.652/Rev.1) and also jointly sponsored by Cameroun, Chad, Guinea, Libya, Morocco, Togo, Tunisia and the United Arab Republic (A/C.4/L.652/Rev.1/Add.1) and subsequently by the Central African Republic, Congo (Brazzaville), Dahomey, Iraq, Ivory Coast, Niger, Senegal, Somalia and Upper Volta (A/C.4/L.652/Rev.1/Add.2), proposed that the General Assembly: (1) note with approval the observations of the Committee on South West Africa concerning the administration of the Territory as set out in that Committee's report and find that the Government of the Union of South Africa has failed and refused to carry out its obligations under the Mandate; (2) conclude that the dispute which has arisen between Ethiopia, Liberia and other Member States on the one hand, and the Union of South Africa on the other, relating to the interpretation and application of the Mandate has not been, and cannot be, settled by negotiation; (3) note that Ethiopia and Liberia on 4 November 1960 filed concurrent applications in the International Court of Justice instituting contentious proceedings against the Union of South Africa; and (4) commend the two Governments upon their initiative in submitting such dispute to the International Court for adjudication and declaration in a contentious proceeding in accordance with article 7 of the Mandate.

22. The revised draft resolution submitted by twenty Powers was adopted at the 1076th meeting on 6 December 1960 by a roll-call vote of 73 votes to none, with 5 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama,

Peru, Philippines, Poland, Romania, Saudi Arabia, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Belgium, France, Portugal, United Kingdom of Great Britain and Northern Ireland.

23. The disposition of the draft resolution is set forth in paragraph 47 of the present report.

#### IV. ASSISTANCE OF THE SPECIALIZED AGENCIES AND OF THE UNITED NATIONS CHILDREN'S FUND IN THE ECONOMIC, SOCIAL AND EDUCATIONAL DEVELOPMENT OF SOUTH WEST AFRICA

24. At the 1064th meeting, Ghana and India submitted a joint draft resolution (A/C.4/L.655) the text of the operative part of which was as follows:

"1. *Considers* that the economic, social, educational and health conditions prevailing in the Mandated Territory of South West Africa, especially as they concern the indigenous inhabitants, are unsatisfactory, and that the need for urgent co-operative action for the improvement of present conditions in these fields is imperative;

"2. *Endorses* the considered view of the Committee on South West Africa that assistance should be sought and provided by the United Nations and its specialized agencies as well as by the United Nations Children's Fund;

"3. *Invites* the Food and Agriculture Organization, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund to undertake urgent programmes to assist the Territory of South West Africa in their respective fields;

"4. *Requests* the Government of the Union of South Africa to seek such assistance and to extend its co-operation to the aforementioned specialized agencies of the United Nations in implementing such urgent programmes to improve the economic, educational, social and health conditions in South West Africa, and to facilitate their work in the Territory in every possible way;

"5. *Requests* the specialized agencies to report to the Committee on South West Africa and to the General Assembly at their respective sessions during 1961 on the action taken in implementing this resolution."

25. At the 1076th meeting, on 6 December 1960, the co-sponsors of the draft resolution accepted amendments orally proposed by the representative of Poland to insert the words "the indigenous population of" in operative paragraph 3 after the words "to assist", and to insert the words "of the indigenous population" after the word "conditions" in operative paragraph 4.

26. The joint draft resolution, as thus orally revised, was adopted by the Fourth Committee at the same meeting by a roll-call vote of 78 to none, with 1 abstention. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Denmark, Dominican

Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Saudi Arabia, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Portugal.

27. The disposition of draft resolution IV is set forth in paragraph 47 of the present report.

#### V. THE WINDHOEK LOCATION

28. A draft resolution concerning the Windhoek Location was submitted by the Committee on South West Africa (A/4464, annex I), which thereby proposed that the General Assembly: (1) express deep regret at the action taken by police and soldiers in the Windhoek Native Location on 10 to 11 December 1959 against residents of the Location resulting in the death of eleven Africans and many other casualties; (2) deplore the fact that, according to petitioners, the Mandatory Power has employed such means as deportations, dismissals from employment, threats of such actions and other methods of intimidation to secure the removal of residents of the Windhoek Location to a new site despite the continued opposition of the residents to their removal; (3) note with deep concern that the situation remains critical; (4) urge the Mandatory Power to refrain from the use of direct or indirect force to secure the removal of location residents; (5) request the Mandatory Power to take steps to provide adequate compensation to the families of the victims of the events in the Windhoek Location on the night of 10 to 11 December; and (6) draw the attention of the Mandatory Power to the recommendations of the Committee on South West Africa concerning the measures which should be taken to alleviate the tension and unrest in the Windhoek area, and in particular to the recommendation that housing developments in urban areas of the Territory should be carried out in accordance with the freely expressed wishes of the peoples concerned and in a manner more compatible with the Mandate.

29. At the 1059th meeting, the representative of Bulgaria orally submitted two amendments: (1) to replace the words "that, according to petitioners," by the words "reported by petitioners that" in operative paragraph 2; and (2) to delete the words "and in a manner more compatible with the Mandate" at the end of operative paragraph 6.

30. At the 1064th meeting, a further amendment was jointly submitted by El Salvador and Tunisia (A/C.4/L.654), to amend operative paragraph 5 to read as follows:

"5. *Requests* the Mandatory Power to take steps to prosecute and punish the civilian and the military officers responsible for the death of eleven Africans and many other casualties in the Windhoek Native Location on 10 to 11 December 1959 and to provide adequate compensation to the families of the victims."

31. At the 1076th meeting, on 6 December 1960, the representatives of Denmark, Finland, Norway and

Sweden orally submitted a joint sub-amendment to the amendment co-sponsored by El Salvador and Tunisia (A/C.4/L.654), to replace the words "take steps to prosecute and punish" by the words "institute legal proceedings against".

32. At the same meeting, the Fourth Committee voted on the draft resolution and the amendments and sub-amendment thereto as follows:

The oral sub-amendment to the joint amendment submitted by El Salvador and Tunisia to operative paragraph 5 (A/C.4/L.654) was rejected by 27 votes to 25, with 22 abstentions.

The amendment to operative paragraph 5 (A/C.4/L.654) submitted by El Salvador and Tunisia was adopted by a roll-call vote of 58 to none, with 22 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Chile, China, Colombia, Cuba, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Niger, Nigeria, Pakistan, Peru, Poland, Romania, Saudi Arabia, Somalia, Sudan, Thailand, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Argentina, Australia, Austria, Belgium, Canada, Central African Republic, Chad, Cyprus, Denmark, Finland, France, Greece, Ireland, Italy, Netherlands, New Zealand, Norway, Philippines, Portugal, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland.

The Bulgarian oral amendment to operative paragraph 2 was adopted by 56 votes to 2, with 18 abstentions.

The Bulgarian oral amendment to operative paragraph 6 was adopted by 46 votes to 11, with 15 abstentions.

The draft resolution submitted by the Committee on South West Africa, as a whole, as amended, was adopted by 75 votes to none, with 6 abstentions.

33. The disposition of draft resolution V is set forth in paragraph 47 of the present report.

## VI. QUESTION OF SOUTH WEST AFRICA

34. At the 1063rd meeting, Guinea, Libya, Mali, Morocco, Togo and Tunisia submitted a joint draft resolution (A/C.4/L.653) proposing, *inter alia*, that the General Assembly decide to entrust administrative powers to an administrative commission composed of representatives of Member States appointed by the General Assembly.

35. A revised joint draft resolution was subsequently submitted by Guinea, Libya, Morocco, Togo and Tunisia (A/C.4/L.653/Rev.1; and Corr.1) and later also sponsored by Chad, Ghana, Nigeria, the Sudan and the United Arab Republic (A/C.4/L.653/Rev.1/Add.1). A second revision of the draft resolution submitted by ten Powers (A/C.4/L.653/Rev.2), which Gabon orally joined in sponsoring at the 1075th meeting, was later introduced (see para. 37 below).

36. The revised draft resolution sponsored by eleven Powers incorporated: (1) a drafting change orally sug-

gested by the representative of the Philippines at the 1073rd meeting, to insert the words "or will soon accede" in the seventh preambular paragraph, and (2) an amendment submitted at the same meeting by Bulgaria (A/C.4/L.659), as orally revised by the representative of Bulgaria at the 1074th meeting and accepted by the sponsors of the joint draft resolution, to insert a new operative paragraph after paragraph 4.

37. The draft resolution, sponsored by eleven Powers, as thus revised (A/C.4/L.653/Rev.2), read as follows:

*"The General Assembly,*

*"Having recommended, in previous resolutions, that the Territory of South West Africa should be placed under the International Trusteeship System, and having repeatedly invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a trusteeship agreement for South West Africa,*

*"Having accepted, in resolution 449 A (V) of 13 December 1950, the advisory opinion of 11 July 1950 of the International Court of Justice on the question of South West Africa,*

*"Taking note of the refusal of the Government of the Union of South Africa to modify its administration of the Territory in conformity with the Purposes and Principles of the Charter and to enter into negotiations with the United Nations, through the Committee on South West Africa, with a view to placing the Mandated Territory under the International Trusteeship System,*

*"Noting with grave concern that the administration of the Territory, in recent years, has been conducted in a manner increasingly contrary to the Mandate, the Charter of the United Nations, the Universal Declaration of Human Rights, the Advisory Opinions of the International Court of Justice and the resolutions of the General Assembly,*

*"Considering that all the efforts of the United Nations to modify the present principles and practices of that administration and to ensure the well-being and security of the inhabitants of the Territory have been to no avail,*

*"Considering with concern that the present situation in South West Africa constitutes a serious threat to international peace and security,*

*"Considering that most of the Mandated Territories which were placed under the International Trusteeship System have acceded or will soon accede to national independence,*

*"Convinced that the Territory of South West Africa has an inalienable right to independence and to the exercise of its full national sovereignty,*

*"1. Regrets that the Government of the Union of South Africa has so far failed to respond to the repeated appeals of the General Assembly asking it to revise a policy which infringes the fundamental rights and freedoms of the inhabitants of South West Africa:*

*"2. Deplores and disapproves the policy practised by the Government of the Union of South Africa contrary to its obligations under the International Mandate of 17 December 1920 for South West Africa;*

*"3. Invites the Committee on South West Africa to go to South West Africa immediately with a view to ascertaining and submitting to the General Assembly:*

*"(a) The conditions for restoring a climate of peace and security;*

"(b) The steps which would enable the indigenous inhabitants of South West Africa to achieve a wide measure of internal self-government designed to lead them to complete independence as soon as possible;

"4. *Urges* the Government of the Union of South Africa to facilitate the mission of the Committee on South West Africa;

"5. *Requests* the Committee on South West Africa to make a preliminary report on the implementation of this resolution to the General Assembly at its fifteenth session;

"6. *Requests* the Secretary-General to provide for the execution of this resolution and to report to the General Assembly at its sixteenth session."

38. In connexion with its consideration of this joint revised draft resolution, the Committee had before it a statement by the Secretary-General of the financial implications arising from operative paragraph 3 (A/C.4/L.658).

39. At the 1076th meeting, India submitted a series of amendments (A/C.4/L.661) to the revised draft resolution sponsored by eleven Powers (A/C.4/L.653/Rev.2), several of which were orally withdrawn or revised by the representative of India during the course of the meeting.

40. At the same meeting, the draft resolution sponsored by eleven Powers was orally revised by its sponsors in the following manner to incorporate Indian amendments (A/C.4/L.661), as orally revised:

(a) In the third preambular paragraph, the words "with deep regret" were inserted after the words "Taking note".

(b) In the fourth preambular paragraph, the word "particularly" was inserted before the words "in recent years".

(c) In the fifth preambular paragraph, the word "indigenous" was inserted before the word "inhabitants".

(d) In the eighth preambular paragraph, the word "Convinced" was replaced by the word "Recognizing".

(e) In operative paragraph 1, the word "indigenous" was inserted before the word "inhabitants" and the following was added at the end of the paragraph: "and imposes upon them disabilities of various kinds, hindering their political, economic and social advancement".

(f) The following new operative paragraph was inserted after operative paragraph 2:

"3. *Deprecates* the application, in the Territory of South West Africa, of the policy of *apartheid*, and calls upon the Government of the Union to revoke or rescind immediately all laws and regulations based on that policy."

(g) Succeeding operative paragraphs were accordingly renumbered.

(h) In operative paragraph 4 (A/C.4/L.653/Rev.2, operative paragraph 3), the words "in addition to its normal tasks" were inserted after the words "Committee on South West Africa" and the words "with a view to ascertaining and submitting to the General Assembly" were replaced by the words "to investigate the situation prevailing in the Territory and to ascertain and make proposals to the General Assembly on".

(i) In operative paragraph 7 (A/C.4/L.653/Rev.2, operative paragraph 6), the word "facilities" was inserted after the word "provide" and the words "and to report to the General Assembly at its sixteenth session" were deleted.

41. The representative of India, in withdrawing certain of the original Indian amendments (A/C.4/L.661, amendments 3 and 7) which would, *inter alia*, have replaced the word "security" by the word "interests" in the fifth preambular paragraph and altered the wording of operative paragraph 3 of the twenty-Power revised draft resolution as reproduced in paragraph 37 above, stated that he did so on the understanding that the word "security" as used in these two paragraphs of the joint draft resolution was intended by the sponsors to convey the French meaning of the word as explained by the representative of Tunisia at the 1076th meeting.

42. At the 1076th meeting, the representative of Haiti submitted an oral amendment to the fifth preambular paragraph of the revised draft resolution sponsored by eleven Powers (A/C.4/L.653/Rev.2), as orally revised, to insert after the words "efforts of the United Nations", the words "to induce the Union Government".

43. At that meeting, the draft resolution sponsored by eleven Powers (A/C.4/L.653/Rev.2), as orally revised, and the Haitian oral amendment were voted upon as follows:

The first and second preambular paragraphs were adopted without objection.

The third preambular paragraph, as orally revised, was adopted without objection.

The fourth preambular paragraph, as orally revised, was adopted without objection.

The Haitian oral amendment to the fifth preambular paragraph was adopted without objection.

The fifth preambular paragraph as a whole, as amended, was adopted without objection.

The sixth, seventh, and, as orally revised, the eighth preambular paragraphs were adopted without objection.

Operative paragraph 1, as orally revised, was adopted without objection.

Operative paragraph 2, as orally revised, was adopted by a roll-call vote of 74 to none, with 6 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Saudi Arabia, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia.

*Against:* None.

*Abstaining:* Austria, Belgium, France, Greece, Portugal, United Kingdom of Great Britain and Northern Ireland.

Operative paragraph 3, as orally incorporated in the revised draft resolution sponsored by eleven Powers, was adopted by a roll-call vote of 77 to none, with 3 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Central

African Republic, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Saudi Arabia, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Portugal, United Kingdom of Great Britain and Northern Ireland.

Operative paragraph 4, as orally revised, was adopted by a roll-call vote of 64 to none, with 16 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic, Ceylon, Chad, Chile, Colombia, Cuba, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Saudi Arabia, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Austria, Belgium, Canada, China, Finland, France, Greece, Ireland, Italy, Japan, Netherlands, New Zealand, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Operative paragraphs 5, 6, and 7, as orally revised, were adopted without objection.

The draft resolution sponsored by eleven Powers, as a whole, as orally revised by the sponsors, and as amended, was adopted by a roll-call vote of 65 to none, with 15 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic, Ceylon, Chad, Chile, Colombia, Cuba, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Italy, Ivory Coast, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Saudi Arabia, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Austria, Belgium, Canada, China, Finland, France, Greece, Ireland, Japan, Netherlands, New Zealand, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

44. The disposition of draft resolution VI is set forth in paragraph 47 of the present report.

## VII. APPEAL TO MEMBER STATES WITH RESPECT TO THE SITUATION IN THE TERRITORY OF SOUTH WEST AFRICA

45. At the 1076th meeting, Mexico and Venezuela submitted a joint draft resolution (A/C.4/L.660) which read as follows:

*"The General Assembly.*

*"Recalling the many resolutions adopted, since its first session, on the question of South West Africa,*

*"Noting with concern that up to the present time the Government of the Union of South Africa has ignored those resolutions and has adopted an attitude contrary to the Purposes and Principles of the Charter of the United Nations,*

*"Likewise noting with concern the continued acts whereby, since 1950, the Government of the Union has attempted to bring about the assimilation of the Territory of South West Africa, and in particular the plebiscite of 5 October 1960 in which the 'European' inhabitants of the Territory took part,*

*"Considering that the conduct of the Government of the Union of South Africa constitutes a challenge to the authority of the United Nations and an express violation of the provisions of Article 80, paragraph 2, of the Charter,*

*"Appeals to the Members of the United Nations, and particularly those having close and continuous relations with the Government of the Union of South Africa, to bring all their moral influence to bear on that Government, with a view to ensuring that it shall adjust its conduct to its obligations under the Charter of the United Nations and shall give effect to the resolutions adopted by the General Assembly."*

46. At the same meeting, the co-sponsors withdrew the draft resolution, with the concurrence of the representatives of El Salvador and Iraq, who had orally submitted amendments, which they accordingly also withdrew.

### **Recommendations of the Fourth Committee**

47. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

#### *Draft resolution I*

##### PETITIONS RELATING TO THE TERRITORY OF SOUTH WEST AFRICA

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]*

#### *Draft resolution II*

##### POLITICAL FREEDOM IN SOUTH WEST AFRICA

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]*

#### *Draft resolution III*

##### LEGAL ACTION TO ENSURE THE FULFILMENT OF THE OBLIGATIONS ASSUMED BY THE UNION OF SOUTH AFRICA IN RESPECT OF THE TERRITORY OF SOUTH WEST AFRICA

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]*

*Draft resolution IV*

ASSISTANCE OF THE SPECIALIZED AGENCIES AND OF THE UNITED NATIONS CHILDREN'S FUND IN THE ECONOMIC, SOCIAL AND EDUCATIONAL DEVELOPMENT OF SOUTH WEST AFRICA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

*Draft resolution V*

THE WINDHOEK LOCATION

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

*Draft resolution VI*

QUESTION OF SOUTH WEST AFRICA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

**Document A/4643/Add.1**

[Original language: English]  
[13 December 1960]

1. In paragraph 2 of its report (A/4643) on agenda item 43 (a) and (b), the Fourth Committee noted that

sub-item (c), namely, the election of three members of the Committee on South West Africa, would be dealt with in an addendum to the report.

2. By resolution 1061 (XI) of 26 February 1957, the General Assembly decided that the composition of the Committee on South West Africa should be increased to nine members appointed by the Assembly on the recommendation of the Fourth Committee. It also decided that one third of the membership of the Committee should be renewed by the same procedure annually.

3. At the 1081st meeting, on 9 December 1960, Indonesia, the United Arab Republic and Uruguay were re-elected by the Fourth Committee, without objection, for reappointment as members of the Committee on South West Africa.

**Recommendation of the Fourth Committee**

4. The Fourth Committee therefore recommends to the General Assembly that it reappoint Indonesia, the United Arab Republic and Uruguay as members of the Committee on South West Africa as from 1 January 1961.

**DOCUMENT A/4644**

**Financial implications of draft resolution VI submitted by the Fourth Committee in document A/4643: report of the Advisory Committee on Administrative and Budgetary Questions**

[Original text: English]  
[13 December 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement of financial implications submitted by the Secretary-General (A/C.5/853) in respect of the draft resolution on the question of South West Africa (A/4643, para. 47, draft resolution VI), adopted by the Fourth Committee at its 1076th meeting on 6 December 1960.

2. Under the draft resolution, the General Assembly would invite the nine-member Committee on South West Africa to go to South West Africa immediately with a view to reporting to the General Assembly on this question. The Secretary-General has estimated the costs of the mission at \$46,000, including \$25,000 for travel and subsistence of members of the Committee, \$13,000 for travel and subsistence of staff and \$8,000 for miscellaneous general expenses.

3. The Secretary-General has also indicated two alternative methods of making financial provisions for the costs in question:

(a) The inclusion of an additional amount of \$46,000 under section 18—Special missions—of the 1961 budget;

(b) The inclusion of an additional paragraph in the resolution relating to unforeseen and extraordinary expenses for 1961, authorizing the Secretary-General to enter into commitments of up to \$46,000 for the item in question.

4. Inasmuch as the point at issue is one of making financial provision for a specific decision of the General Assembly, which cannot be considered as giving rise to unforeseen and extraordinary expenses, the Advisory Committee would prefer alternative (a) above. Accordingly, the Advisory Committee would suggest that the General Assembly should be informed that the adoption of the draft resolution of the Fourth Committee would give rise to expenditures estimated at \$46,000 in 1961. Subsequent to the General Assembly's adoption of the resolution, an additional amount of \$46,000 should be included under a separate chapter in section 18 of the 1961 budget.

**DOCUMENT A/4665**

**Financial implications of draft resolution VI submitted by the Fourth Committee in document A/4643: report of the Fifth Committee**

[Original text: English]  
[16 December 1960]

1. Under the provisions of rule 154 of the rules of procedure of the General Assembly, and on the basis of reports of the Secretary-General (A/C.5/853) and the Advisory Committee on Administrative and Budgetary Questions (A/4644),

the Fifth Committee, at its 822nd meeting, considered the financial implications of draft resolution VI (A/4643, para. 47) adopted by the Fourth Committee at its 1076th meeting.

2. The Fifth Committee decided, by 43 votes to none, with 1 abstention, to inform the General Assembly that the adoption of the draft resolution recommended by the Fourth Committee would give rise to expenditures in 1961 estimated at \$46,000.

### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 954th plenary meeting, on 18 December 1960, the General Assembly adopted draft resolutions I, II, III, IV, V and VI submitted by the Fourth Committee (A/4643, para. 47). For the final texts, see resolutions 1563 (XV), 1564 (XV), 1565 (XV), 1566 (XV), 1567 (XV), and 1568 (XV), respectively, below.

At its 954th plenary meeting on 18 December 1960, the General Assembly, on the recommendation of the Fourth Committee, reappointed Indonesia, the United Arab Republic and Uruguay as members of the Committee on South West Africa as from 1 January 1961.

#### Resolutions adopted by the General Assembly

##### 1563 (XV). PETITIONS RELATING TO THE TERRITORY OF SOUTH WEST AFRICA

*The General Assembly,*

*Having accepted* the advisory opinion of 11 July 1950 of the International Court of Justice on the question of South West Africa (A/1362),

*Having authorized* the Committee on South West Africa, by resolution 749 A (VIII) of 28 November 1953, to examine petitions in accordance with the Mandates procedure of the League of Nations,

*Having received* a report (A/4464) from the Committee dealing with petitions relating, *inter alia*, to the status of South West Africa and conditions in the Territory, the situation in the Windhoek Native Location, the removal of the Native Location in Walvis Bay, conditions in the Ovamboland Native Reserve, conditions in the Hoachanas Native Reserve, general conditions in the Rehoboth Community, the imprisonment of Mr. Toivo Ja-Toivo, the question of the return of Hereros in Bechuanaland to South West Africa and a request for a scholarship from a student in South West Africa,

*Noting* that these petitions raise questions relating to various aspects of the administration of South West Africa and of conditions in the Territory, upon which the Committee has presented a report,

*Draws the attention* of the petitioners concerned to the report and observations of the Committee on South West Africa regarding conditions in the Territory submitted to the General Assembly at its fifteenth session, and to the action taken by the Assembly on this report.

*954th plenary meeting,  
18 December 1960.*

##### 1564 (XV). POLITICAL FREEDOM IN SOUTH WEST AFRICA

*The General Assembly,*

*Having noted*, on the basis of the report of the Committee on South West Africa (A/4464), that leaders of the South West Africa Peoples Organisation and other Africans in the Territory of South West Africa are being subjected to arbitrary imprisonment and deportation,

1. *Expresses its deep concern* regarding this disturbing development;

2. *Urges* the Government of the Union of South Africa to instruct the competent authorities in the Mandated Territory of South West Africa to cease the arbitrary imprisoning and deporting of Africans, including the leaders and members of the South West Africa Peoples Organisation, and to ensure the free exercise of political rights and freedom of expression for all sectors of the population.

*954th plenary meeting,  
18 December 1960.*

##### 1565 (XV). LEGAL ACTION TO ENSURE THE FULFILMENT OF THE OBLIGATIONS ASSUMED BY THE UNION OF SOUTH AFRICA IN RESPECT OF THE TERRITORY OF SOUTH WEST AFRICA

*The General Assembly,*

*Recalling* its resolution 1361 (XIV) of 17 November 1959, in which it drew the attention of Member States to the conclusions of the special report of the Committee on South West Africa (A/3625) concerning the legal action open to Member States to submit to the International Court of Justice any dispute with the Union of South Africa relating to the interpretation or application of the provisions of the Mandate for the Territory of South West Africa, if such dispute cannot be settled by negotiation,

*Noting with grave concern* that the administration of the Territory, in recent years, has been conducted in a manner contrary to the Mandate, the Charter of the United Nations, the Universal Declaration of Human Rights and the resolutions of the General Assembly, including resolution 449 A (V) of 13 December 1950, by which the Assembly accepted the advisory opinion of 11 July 1950 of the International Court of Justice on the question of South West Africa (A/1362),

*Noting* that all negotiations and efforts on the part of the General Assembly, of its several committees and organs constituted and authorized for this purpose, and of Member States acting through such committees and organs, have failed to bring about compliance on the part of the Government of the Union of South Africa with its obligations under the Mandate, as is evidenced, *inter alia*, by the following reports of the said committees and organs to the Assembly:

(a) Reports of the *Ad Hoc* Committee on South West Africa to the General Assembly at its sixth, seventh and eighth sessions (A/1901 and Add.1 to 3, A/2261 and Add.1, A/2475 and Add.1 and 2, respectively),

(b) Reports of the Committee on South West Africa to the General Assembly at its ninth to fifteenth sessions (A/2666 and Corr.1, A/2666 and Add.1, A/2913 and Add.1 and 2, A/3151, A/3626, A/3906 and Add.1, A/4141, A/4164),

(c) Reports of the Good Offices Committee on South West Africa to the General Assembly at its thirteenth and fourteenth sessions (A/3900, A/4224),

Noting the aforesaid reports, and in particular the reports of the Committee on South West Africa concerning the failure of negotiations with the Government of the Union of South Africa and the Committee's conclusions that the Union has at all times declined to co-operate in any way with the Committee in the discharge of its functions,

1. *Notes with approval* the observations of the Committee on South West Africa concerning the administration of the Territory as set out in the Committee's report to the General Assembly at its fifteenth session, and finds that the Government of the Union of South Africa has failed and refused to carry out its obligations under the Mandate for the Territory of South West Africa;

2. *Concludes* that the dispute which has arisen between Ethiopia, Liberia and other Member States on the one hand, and the Union of South Africa on the other, relating to the interpretation and application of the Mandate has not been and cannot be settled by negotiation;

3. *Notes* that Ethiopia and Liberia, on 4 November 1960, filed concurrent applications in the International Court of Justice instituting contentious proceedings against the Union of South Africa;

4. *Commends* the Governments of Ethiopia and Liberia upon their initiative in submitting such dispute to the International Court of Justice for adjudication and declaration in a contentious proceeding in accordance with article 7 of the Mandate.

*954th plenary meeting,  
18 December 1960.*

#### 1566 (XV). ASSISTANCE OF THE SPECIALIZED AGENCIES AND OF THE UNITED NATIONS CHILDREN'S FUND IN THE ECONOMIC, SOCIAL AND EDUCATIONAL DEVELOPMENT OF SOUTH WEST AFRICA

*The General Assembly,*

*Recalling* the purposes of Article 55 of the Charter of the United Nations,

*Bearing in mind* the international status of the Mandated Territory of South West Africa, the General Assembly's own obligations and the concern of the community of nations to promote the well-being and interest of the inhabitants of that Territory,

*Having perused* the observations and recommendations contained in part II, sections IV, V and VI, of the report of the Committee on South West Africa to the General Assembly (A/4464),

1. *Considers* that the economic, social, educational and health conditions prevailing in the Mandated Territory of South West Africa, especially as they concern the indigenous inhabitants, are unsatisfactory, and that

the need for urgent co-operative action for the improvement of present conditions in these fields is imperative;

2. *Endorses* the considered view of the Committee on South West Africa that assistance should be sought, and that it should be provided by the United Nations, the specialized agencies and the United Nations Children's Fund;

3. *Invites* the Food and Agriculture Organization of the United Nations, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund to undertake urgent programmes to assist the indigenous population of the Territory of South West Africa in their respective fields;

4. *Requests* the Government of the Union of South Africa to seek such assistance and to extend its co-operation to the above-mentioned specialized agencies and the United Nations Children's Fund in implementing such urgent programmes to improve the economic, social, educational and health conditions of the indigenous population in South West Africa, and to facilitate their work in the Territory in every possible way;

5. *Requests* the above-mentioned specialized agencies and the United Nations Children's Fund to report to the Committee on South West Africa and to the General Assembly at their respective sessions during 1961 on the action taken in implementing the present resolution.

*954th plenary meeting,  
18 December 1960.*

#### 1567 (XV). THE WINDHOEK LOCATION

*The General Assembly,*

*Having received* a report from the Committee on South West Africa with respect to disturbances in the Windhoek Native Location relating to the removal of the Location residents to a new site called Katutura (A/4464, paras. 138-229),

*Noting with regret* that the construction of the new Location at Katutura is part of the plan laid down by the present Prime Minister in his former capacity as Minister of Native Affairs to the effect that Native Locations in urban areas, based on the policy of *apartheid*, must be situated in such a manner that a permanent "buffer strip of at least 500 yards" on which "no development at all is allowed" is maintained "between the Native residential area and that of any other racial group",<sup>6</sup>

*Observing with deep concern* that on the night of 10 to 11 December 1959, after repeated expressions of opposition by Location residents to their removal had failed to obtain the sympathetic consideration of officials of the Mandatory Power, police and soldiers opened fire on a crowd of Location residents, killing eleven Africans and injuring at least forty-four others,

*Noting* the report transmitted to the United Nations by the Government of the Union of South Africa (A/4464, annex V) concerning an inquiry into the events in Windhoek Location on 10 to 11 December 1959, and the direct causes which gave rise thereto,

*Taking into account* the additional information contained in the report of the Committee on South West Africa and in oral and written petitions from inhabitants of the Territory,

<sup>6</sup> *Union of South Africa. Senate Debates, 1956, No. 15, cols. 3884 and 3885.*

*Noting also* the many protests received by the Committee during 1959 in petitions and communications against the impending removal to the new Location site on the grounds, *inter alia*, that the removal was part of the intensified application of the *apartheid* policy,

*Considering* that the *apartheid* policy applied in South West Africa is contrary to the terms of the Mandate, the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights,

*Considering further* that the application of the *apartheid* policy, of which the occurrences in Windhoek have been an unfortunate consequence, is prejudicial to the maintenance of a peaceful and orderly administration in the Mandated Territory,

1. *Expresses deep regret* at the action taken by the police and soldiers in the Windhoek Native Location on the night of 10 to 11 December 1959 against residents of the Location resulting in the death of eleven Africans and many other casualties;

2. *Deplores* the fact reported by petitioners that the Mandatory Power has employed such means as deportations, dismissals from employment, threats of such actions and other methods of intimidation to secure the removal of residents of the Windhoek Location to Katutura despite the continued opposition of the residents to their removal;

3. *Notes with deep concern* that the situation remains critical;

4. *Urges* the Mandatory Power to refrain from the use of direct or indirect force to secure the removal of Location residents;

5. *Requests* the Mandatory Power to take steps to prosecute and punish the civilian and the military officers responsible for the death of eleven Africans and many other casualties in the Windhoek Native Location on the night of 10 to 11 December 1959, and to provide adequate compensation to the families of the victims;

6. *Draws the attention* of the Mandatory Power to the recommendations of the Committee on South West Africa concerning the measures which should be taken to alleviate the tension and unrest in the Windhoek area, and in particular to the recommendation that housing developments in urban areas of the Territory should be carried out in accordance with the freely expressed wishes of the peoples concerned.

954th plenary meeting,  
18 December 1960.

#### 1568 (XV). QUESTION OF SOUTH WEST AFRICA

*The General Assembly,*

*Having recommended*, in previous resolutions, that the Territory of South West Africa should be placed under the International Trusteeship System, and having repeatedly invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a trusteeship agreement for South West Africa,

*Having accepted*, in resolution 449 A (V) of 13 December 1950, the advisory opinion of 11 July 1950 of the International Court of Justice on the question of South West Africa (A/1362),

*Taking note with deep regret* of the refusal of the Government of the Union of South Africa to modify its administration of the Territory in conformity with the Purposes and Principles of the Charter of the United

Nations and to enter into negotiations with the United Nations, through the Committee on South West Africa, with a view to placing the Mandated Territory under the International Trusteeship System,

*Noting with grave concern* that the administration of the Territory, particularly in recent years, has been conducted in a manner increasingly contrary to the Mandate, the Charter of the United Nations, the Universal Declaration of Human Rights, the advisory opinions of the International Court of Justice and the resolutions of the General Assembly,

*Considering* that all the efforts of the United Nations to induce the Government of the Union of South Africa to modify the present principles and practices of that administration and to ensure the well-being and security of the indigenous inhabitants of the Territory have been to no avail,

*Considering with concern* that the present situation in South West Africa constitutes a serious threat to international peace and security,

*Considering* that most of the Mandated Territories which were placed under the International Trusteeship System have acceded or will soon accede to national independence,

*Recognizing* that the Territory of South West Africa has an inalienable right to independence and to the exercise of its full national sovereignty,

1. *Regrets* that the Government of the Union of South Africa has so far failed to respond to the repeated appeals of the General Assembly asking it to revise a policy which infringes the fundamental rights and freedoms of the indigenous inhabitants of South West Africa and impose upon them disabilities of various kinds, hindering their political, economic and social advancement;

2. *Deplores and disapproves* the policy practised by the Government of the Union of South Africa contrary to its obligations under the international Mandate of 17 December 1920 for South West Africa;

3. *Deprecates* the application, in the Territory of South West Africa, of the policy of *apartheid*, and calls upon the Government of the Union of South Africa to revoke or rescind immediately all laws and regulations based on that policy;

4. *Invites* the Committee on South West Africa, in addition to its normal tasks, to go to South West Africa immediately to investigate the situation prevailing in the Territory and to ascertain and make proposals to the General Assembly on:

(a) The conditions for restoring a climate of peace and security;

(b) The steps which would enable the indigenous inhabitants of South West Africa to achieve a wide measure of internal self-government designed to lead them to complete independence as soon as possible;

5. *Urges* the Government of the Union of South Africa to facilitate the mission of the Committee on South West Africa;

6. *Requests* the Committee on South West Africa to make a preliminary report on the implementation of the present resolution to the General Assembly at its resumed fifteenth session;

7. *Requests* the Secretary-General to provide facilities for the execution of the present resolution.

954th plenary meeting,  
18 December 1960.

## PART II OF THE SESSION

## DOCUMENT A/4705

**Preliminary report of the Committee on South West Africa on the implementation of General Assembly resolution 1568 (XV)**

[Original text: English]  
[3 March 1961]

1. During the first part of its fifteenth session on 18 December 1960, the General Assembly adopted resolution 1568 (XV), the operative paragraphs of which read:

"1. *Regrets* that the Government of the Union of South Africa has so far failed to respond to the repeated appeals of the General Assembly asking it to revise a policy which infringes the fundamental rights and freedoms of the indigenous inhabitants of South West Africa and imposes upon them disabilities of various kinds, hindering their political, economic and social advancement;

"2. *Deplores and disapproves* the policy practised by the Government of the Union of South Africa contrary to its obligations under the international Mandate of 17 December 1920 for South West Africa;

"3. *Deprecates* the application in the Territory of South West Africa, of the policy of *apartheid*, and calls upon the Government of the Union of South Africa to revoke or rescind immediately all laws and regulations based on that policy;

"4. *Invites* the Committee on South West Africa, in addition to its normal tasks, to go to South West Africa immediately to investigate the situation prevailing in the Territory and to ascertain and make proposals to the General Assembly on:

"(a) The conditions for restoring a climate of peace and security;

"(b) The steps which would enable the indigenous inhabitants of South West Africa to achieve a wide measure of internal self-government designed to lead them to complete independence as soon as possible;

"5. *Urges* the Government of the Union of South Africa to facilitate the mission of the Committee on South West Africa;

"6. *Requests* the Committee on South West Africa to make a preliminary report on the implementation of the present resolution to the General Assembly at its resumed fifteenth session;

"7. *Requests* the Secretary-General to provide facilities for the execution of the present resolution."

2. At its 157th meeting, the first meeting of its eighth session, on 10 January 1961, and its 158th and 159th meetings on 13 and 16 January 1961, the Committee on South West Africa discussed the implementation of General Assembly resolution 1568 (XV), and in particular the steps to be taken to fulfil the invitation of the General Assembly, contained in operative paragraph 4 of the resolution, for the Committee to go to South West Africa immediately to investigate the situation prevailing in the Territory. The Committee also held three further meetings, its 160th to 162nd meetings, on 23 and 28 February and 2 March 1961, and, at the 162nd meeting it approved the present preliminary report which is submitted to the General Assembly in accord-

ance with operative paragraph 6 of General Assembly resolution 1568 (XV).

3. At its 159th meeting, the Committee approved the text of the following letter which was sent by the Chairman of the Committee to the Minister for External Affairs of the Union of South Africa on 16 January 1961:

"I have the honour to refer to General Assembly resolution 1568 (XV) of 18 December 1960, a copy of which is enclosed.

"In compliance with operative paragraph 4 of this resolution, inviting the Committee to go to South West Africa immediately, the Committee decided that the visit should take place as early as possible in February 1961 and that its duration should be approximately one month.

"The Committee has accordingly directed me, as Chairman, to ascertain from your Government whether it would be convenient for the visit to take place in February and, if not, would appreciate suggestions for an alternative date.

"The Committee would further appreciate an early reply to this letter in view of the fact that it is to present a preliminary report to the General Assembly at its resumed fifteenth session in March 1961 on the implementation of the resolution."

4. On 15 February 1961, the Permanent Representative of the Union of South Africa addressed the following letter to the Chairman of the Committee:

"With reference to our telephone conversation, I wish to confirm that the Secretary-General had transmitted to the Union Minister for External Affairs, copies of the resolutions adopted by the General Assembly at the first part of the fifteenth session on the question of South West Africa. He drew the attention of the Union Government to resolution 1568 (XV), and particularly to operative paragraphs 4 and 5, by which the Assembly invited the Committee on South West Africa to go to South West Africa immediately, etc. As indicated to you, the Union Government's reply has in the meantime been sent to the Secretary-General.

"As stated over the telephone yesterday, I had been trying to contact you earlier, but this did not prove possible."

5. The correspondence referred to in the above letter of the Permanent Representative had been made available to the members of the Committee on 6 February 1961. The letter from the Secretary-General to the Union Minister for External Affairs, dated 20 December 1960, read as follows:

"I have the honour to draw the attention of the Government of the Union of South Africa to General Assembly resolution 1568 (XV) of 18 December 1960, and particularly to operative paragraphs 4 and 5 by which the Assembly invited the Committee on

South West Africa to go to South West Africa immediately and urged the Government of the Union of South Africa to facilitate its mission.

"A copy of resolution 1568 (XV), as well as copies of the five other resolutions adopted by the General Assembly on the question of South West Africa during the first part of its fifteenth session, are enclosed herewith."

6. The reply from the Union Minister for External Affairs was conveyed to the Secretary-General in a letter dated 3 February 1961 from the Permanent Representative of the Union Government, which read:

"I have the honour to convey the following reply from the Minister for External Affairs of the Union of South Africa to your letter TR 212 of 20th December, 1960:

"I have the honour to refer to your letter No. TR 212 of the 20th December, 1960, in which you draw the Union Government's attention to General Assembly resolution 1568 (XV) and "particularly to operative paragraphs 4 and 5 by which the Assembly invited the Committee on South West Africa to go to South West Africa immediately and urged the Government of the Union of South Africa to facilitate its mission".

"It will be recalled that when the Fourth Committee commenced its consideration of the South West Africa item the South African representative pointed out that the South West Africa question had been made the subject of judicial action in the International Court of Justice. He maintained, therefore, that discussion of, and the adoption of resolutions on, matters pending before the Court would violate the *sub judice* rule. For this reason the South African delegation did not participate in the discussions and in the voting on the resolution.

"As regards the allegations in, and the premises of, resolution 1568 (XV), these are considered prejudicial

to the proceedings now pending before the International Court of Justice. As stated also by the South African representative in the Fourth Committee, adequate replies could be given to the implied allegations. In view of the Union's continued adherence to the *sub judice* rule, however, it would refrain from answering them for the time being. It would, at the appropriate time and place, deal with all aspects having a bearing on those matters which were at present before the International Court of Justice.

"In the light particularly of these considerations it will be clear that it would not be possible for the Union Government to accede to the request contained in paragraph 5 of resolution 1568 (XV).

"It is necessary to point out that while the General Assembly had accepted the 1950 Advisory Opinion of the Court, the action now envisaged in operative paragraph 4 of the resolution would exceed the degree of supervision which applied under the Mandate System."

7. The Committee regrets that as of the date of adoption of this report it had not received a direct reply from the Union Government to its letter of 16 January 1961. The position of the Union Government with regard to the Committee's visit to South West Africa, however, is made clear in the reply of the Union Minister for External Affairs, contained in the letter dated 3 February 1961 to the Secretary-General, namely, that "it would not be possible for the Union Government to accede to the request contained in paragraph 5 of resolution 1568".

8. The Committee therefore profoundly regrets these new developments as further evidence of the continued refusal of the Union Government to co-operate with the Committee in the implementation of resolutions of the General Assembly and submits this preliminary report to the General Assembly for its consideration so that the Committee may be guided accordingly.

## DOCUMENT A/C.4/L.671

### Appeal to Member States with respect to the situation in the Territory of South West Africa—Mexico and Venezuela: draft resolution

[Original text: Spanish]  
[13 March 1961]

*The General Assembly,*

*Recalling* the many resolutions adopted, since its first session, on the question of South West Africa,

*Noting with concern* that up to the present time the Government of the Union of South Africa has ignored those resolutions and has adopted an attitude contrary to the purposes and principles of the Charter of the United Nations,

*Likewise noting with concern* the continued acts whereby, since 1950, the Government of the Union has attempted to bring about the assimilation of the Territory of South West Africa, and in particular the plebiscite of 5 October 1960 in which the "European" inhabitants of the Territory took part,

*Considering* that the conduct of the Government of the Union of South Africa constitutes a challenge to the authority of the United Nations and an express violation of the provisions of Article 80, paragraph 2, of the Charter,

*Appeals* to the Members of the United Nations, and particularly those having close and continuous relations with the Government of the Union of South Africa, to bring all their moral influence to bear on that Government, with a view to ensuring that it shall adjust its conduct to its obligations under the Charter of the United Nations and shall give effect to the resolutions adopted by the General Assembly.

## DOCUMENTS A/C.4/L.675 AND ADD.1\*

**Afghanistan, Bolivia, Central African Republic, Chad, Congo (Brazzaville), Cuba, Ghana, Guinea, India, Indonesia, Iraq, Libya, Mali, Morocco, Niger, Nigeria, Somalia, Sudan, Togo, Tunisia, United Arab Republic, Venezuela, Yugoslavia: joint draft resolution**

[Original text: English]  
[20 March 1961]

*The General Assembly,*

*Bearing in mind* the provisions of the General Assembly's declaration on the granting of independence to dependent peoples, which declares that immediate steps shall be taken to transfer all powers to such peoples, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom,

*Recalling* its resolution 1568 (XV) inviting the Committee on South West Africa to go to South West Africa immediately, *inter alia*, to investigate the situation prevailing in the Territory,

*Noting* with deep regret from the interim report (A/4705) of the Committee on South West Africa called for under the said resolution that the Government of the Union of South Africa refuses to co-operate with the United Nations by facilitating the mission of the Committee on South West Africa,

*Convinced* that it is both the right and the duty of the United Nations to discharge fully and effectively its obligations with respect to the proper implementation, under its supervision, of the Mandate for South West Africa conferred upon His Britannic Majesty, to be exercised on his behalf by the Government of the Union of South Africa,

*Noting* with grave concern the continuing deterioration in the situation of South West Africa resulting from the continued application, in violation of the letter and spirit of the Mandate, of tyrannical policies and practices of the Union's administration in South West Africa, such as *apartheid*,

*Reiterating* its concern that this situation constitutes a serious threat to international peace and security,

1. *Recognizes and supports* the passionate yearning of the people of South West Africa for freedom and the exercise of national independence and sovereignty;

2. *Rejects* the position taken by the Government of the Union of South Africa in refusing to co-operate with the United Nations in the implementation of resolution

\* In A/C.4/L.675/Add.1, dated 21 March 1961, Afghanistan was added to the list of sponsors.

1568 (XV) as well as other resolutions concerning South West Africa;

3. *Deplores* the recent attempt by the Government of the Union of South Africa to alter the international status of the Mandated Territory through a so-called referendum;

4. *Considers* that the full and effective discharge of the tasks assigned to the Committee on South West Africa in paragraph 4 of the Assembly's resolution 1568 (XV) is essential to the protection of the lives and property of the inhabitants of South West Africa, to the amelioration of the prevailing conditions of South West Africa the continuance of which is likely to endanger international peace and security, to the exercise of the right of self-determination by the people of South West Africa in complete freedom, and to their immediate accession to national independence;

5. *Requests* the Committee on South West Africa, therefore, immediately to proceed to discharge the special and urgent tasks entrusted to it in resolution 1568 (XV) as fully and expeditiously as possible with the co-operation of the Government of the Union of South Africa if such co-operation be available, and without it if necessary;

6. *Requests* the Member States of the United Nations to extend to the Committee on South West Africa such assistance as it may require in the discharge of these tasks;

7. *Decides* to call the attention of the Security Council to the situation in South West Africa which constitutes a threat to international peace and security, and to this resolution the full implementation of which is necessary to bring that situation to a speedy end;

8. *Calls upon* the Government of the Union of South Africa immediately to cease arming "Europeans" terrorizing the indigenous inhabitants of South West Africa, as well as Government military operations and other repressive measures directed against the latter;

9. *Requests* the Committee on South West Africa to submit a report on the implementation of resolution 1568 (XV) as well as the present resolution to the General Assembly at its sixteenth session.

## DOCUMENT A/C.4/L.675/REV.1

**Afghanistan, Bolivia, Central African Republic, Chad, Congo (Brazzaville), Cuba, Ghana, Guinea, India, Indonesia, Iraq, Libya, Mali, Morocco, Niger, Nigeria, Senegal, Somalia, Sudan, Togo, Tunisia, United Arab Republic, Venezuela, Yugoslavia: revised draft resolution**

[Original text: English]  
[22 March 1961]

*The General Assembly,*

*Bearing in mind* the provisions of the General Assembly's declaration on the granting of independence to dependent peoples which declares that immediate steps shall be taken to transfer all powers to such peoples, without any conditions or reservations, in accordance with their freely expressed will and desire, without any

distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom,

*Recalling* its resolution 1568 (XV) inviting the Committee on South West Africa to go to South West Africa immediately, *inter alia*, to investigate the situation prevailing in the Territory,

*Noting* with deep regret from the preliminary report (A/4705) of the Committee on South West Africa called for under the said resolution that the Government of the Union of South Africa refuses to co-operate with the United Nations by facilitating the mission of the Committee on South West Africa,

*Convinced* that it is both the right and the duty of the United Nations to discharge fully and effectively its obligations with respect to the proper implementation, under its supervision, of the Mandate for South West Africa conferred upon His Britannic Majesty, to be exercised on his behalf by the Government of the Union of South Africa,

*Noting* with grave concern the continuing deterioration in the situation of South West Africa resulting from the continued application, in violation of the letter and spirit of the Mandate, of tyrannical policies and practices of the Union's administration in South West Africa, such as *apartheid*.

*Reiterating* its concern that this situation constitutes a serious threat to international peace and security,

1. *Recognizes and supports* the passionate yearning of the people of South West Africa for freedom and the exercise of national independence and sovereignty;

2. *Rejects* the position taken by the Government of the Union of South Africa in refusing to co-operate with the United Nations in the implementation of resolution 1568 (XV) as well as other resolutions concerning South West Africa;

3. *Deplores* the attempts at the assimilation of the Mandated Territory of South West Africa, culminating in the so-called referendum held on 5 October 1960, as totally unacceptable, having no moral or legal basis and being repugnant to the letter and spirit of the Mandate;

4. *Considers* that the full and effective discharge of the tasks assigned to the Committee on South West Africa in operative paragraph 4 of the Assembly's resolution 1568 (XV) is essential to the protection of the lives and property of the inhabitants of South West Africa, to the amelioration of the prevailing conditions of South West Africa the continuance of which is likely to endanger international peace and security, to the exercise of the right of self-determination by the people of South West Africa in complete freedom, and their right of accession to national sovereignty and independence with the least delay;

5. *Requests* the Committee on South West Africa, therefore, immediately to proceed to discharge the special and urgent tasks entrusted to it in resolution 1568 (XV) as fully and expeditiously as possible with the co-operation of the Government of the Union of South Africa if such co-operation be available, and without it if necessary;

6. *Requests* the Member States of the United Nations to extend to the Committee on South West Africa such assistance as it may require in the discharge of these tasks;

7. *Decides* to call the attention of the Security Council to the situation in respect of South West Africa, which if allowed to continue, will, in the Assembly's view, endanger international peace and security, and to this resolution the full implementation of which is necessary to bring that situation to a speedy end;

8. *Takes note* with grave concern of reports of the terrorization of and armed action against the indigenous inhabitants, and calls upon the Government of the Union of South Africa to desist from such acts;

9. *Requests* the Committee on South West Africa to submit a report on the implementation of resolution 1568 (XV) as well as the present resolution to the General Assembly at its sixteenth session.

## DOCUMENT A/4709

### Interim report of the Fourth Committee

[Original text: English]  
[15 March 1961]

1. At its 1098th meeting, on 9 March 1961, the Fourth Committee began its consideration of the preliminary report of the Committee on South West Africa on the implementation of General Assembly resolution 1568 (XV) (A/4705).

2. At that meeting, the Chairman of the Committee on South West Africa introduced the preliminary report, which remains under consideration by the Fourth Committee.

3. At the conclusion of its consideration of the preliminary report, the Fourth Committee will submit to the General Assembly a report which will cover the balance of its deliberations concerning the question, as well as the hearing of petitioners.

4. The present interim report is limited to the consideration in the Committee of a draft resolution addressing an appeal to Member States which have particularly close and continuous relations with the Government of the Union of South Africa, with respect to the situation in the Territory of South West Africa.

5. At the 1101st meeting of the Committee, on 13 March 1961, Mexico and Venezuela jointly resubmitted

such a draft resolution (A/C.4/L.671), which they had originally submitted in document A/C.4/L.660 at the 1076th meeting of the Committee, on 6 December 1960, and had withdrawn at the same meeting.

6. At the 1101st meeting, the representative of Guinea orally proposed that the operative paragraph of the draft resolution be amended by inserting the words "especially the Government of the United Kingdom" before the words "to bring all their moral influence to bear", but withdrew his proposal following revisions made by the co-sponsors of the draft resolution.

7. At the 1102nd meeting, the co-sponsors of the draft resolution accepted, and incorporated into a revised draft resolution (A/C.4/L.671/Rev.1 and Rev.1/Corr.1) the following amendments orally proposed at that meeting by the representatives of India, Morocco, the Philippines, and the United States of America:

(a) In the fourth preambular paragraph of the revised draft resolution, amendments by the representative of the Philippines to insert the word "only" before the words "the European inhabitants", and to substitute the words "were permitted to take part" for the words "took part":

(b) In the fifth preambular paragraph, an amendment by the representative of the United States to delete the words "and an express violation of the provisions of Article 80, paragraph 2, of the Charter" at the end of the paragraph;

(c) A new sixth preambular paragraph, proposed by the representative of India;

(d) In the operative paragraph, an amendment by the representative of Morocco to delete the words "and particularly those" and to substitute the word "the", before "Members", by the word "those";

(e) In the operative paragraph, amendments by the representative of the Philippines to insert the words "as a matter of urgency" between the words "to bring" and "all their moral influence" and to delete the word "moral".

8. The revised draft resolution (A/C.4/L.671/Rev.1 and Rev.1/Corr.1) was adopted by the Fourth Committee at its 1102nd meeting by a roll-call vote of 68 to none, with 12 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus,

Czechoslovakia, Dahomey, Denmark, Ecuador, Ethiopia, Federation of Malaya, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Nigeria, Norway, Pakistan, Panama, Paraguay, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Belgium, Canada, Congo (Brazzaville), Finland, France, Ghana, Netherlands, New Zealand, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland.

### **Recommendation of the Fourth Committee**

9. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]*

## **DOCUMENT A/4721**

### **Report of the Fourth Committee**

*[Original text: English]  
[4 April 1961]*

1. At its 1118th meeting on 27 March 1961, the Fourth Committee concluded its consideration of the preliminary report of the Committee on South West Africa on the implementation of General Assembly resolution 1568 (XV) (A/4705).

2. The present report supplements the interim report of the Fourth Committee on this item (A/4709), considered by the General Assembly at its 963rd plenary meeting on 16 March 1961.

3. As stated in its interim report, the Fourth Committee began its consideration of the item at its 1098th meeting on 9 March 1961, when the Chairman of the Committee on South West Africa introduced the preliminary report of that Committee.

4. At the same meeting, the Fourth Committee granted requests for hearings submitted by the Reverend Markus Kooper, Messrs. Mburumba Kerina, Jacob Kuhangwa, and Ismael Fortune (A/C.4/470) and by Messrs. Sam Nujoma and Moses Garoeb (A/C.4/470/Add.1). The requests were granted without vote, following an objection by the representative of the Union of South Africa.

5. Mr. Mburumba Kerina addressed the Committee at the 1098th meeting, and answered questions put by members of the Committee at that meeting and at the 1100th meeting. At the latter meeting, statements were made by Mr. Jacob Kuhangwa, Mr. Ismael Fortune and the Reverend Markus Kooper. Two of the petitioners who had been granted hearings, Messrs. Sam Nujoma and Moses Garoeb, did not appear before the Committee.

6. A discussion of the item took place during the course of the 1100th to 1103rd meetings of the Committee. At its 1103rd meeting, on 14 March 1961, the

Committee adopted the above-mentioned interim report to the General Assembly.

7. At the 1107th meeting on 17 March 1961, the Committee decided to grant a second hearing to petitioners. Accordingly, Mr. Mburumba Kerina, the Reverend Markus Kooper and Mr. Jacob Kuhangwa appeared before the Committee at the 1108th meeting, when Mr. Kerina made a statement on behalf of the petitioners.

8. The Committee resumed its discussion of the item at its 1110th meeting on 21 March 1961.

9. At that meeting, Bolivia, the Central African Republic, Chad, the Congo (Brazzaville), Cuba, Ghana, Guinea, India, Indonesia, Iraq, Libya, Mali, Morocco, Niger, Nigeria, Somalia, the Sudan, Togo, Tunisia, the United Arab Republic, Venezuela and Yugoslavia, submitted a draft resolution (A/C.4/L.675), which Afghanistan joined in sponsoring (A/C.4/L.675/Add.1).

10. During the debate on that draft resolution, at the 1110th to 1112th meetings, a number of comments and suggestions were made to the sponsors. Taking these into account, and particularly changes orally suggested at the 1110th meeting by the representative of the United States of America, the twenty-three sponsors, joined by Senegal, submitted a revised draft resolution (A/C.4/L.675/Rev.1) at the 1113th meeting of the Committee on 22 March 1961.

11. The Committee continued its consideration of the revised draft resolution at its 1114th to 1116th meetings.

12. At the 1115th meeting, on 23 March 1961, the sponsors of the revised draft resolution accepted an amendment orally proposed by the representative of Bulgaria to substitute the words "colonial countries and

peoples" for the words "dependent peoples" in the first preambular paragraph.

13. At the same meeting, the revised draft resolution (A/C.4/L.675/Rev.1), as thus orally amended, was voted upon as follows:

The first to fifth preambular paragraphs, inclusive, were adopted by a roll-call vote of 76 to none, with 5 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Austria, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Belgium, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland.

The sixth preambular paragraph was approved by a roll-call vote of 70 to 1, with 10 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Austria, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Portugal.

*Abstaining:* Australia, Belgium, Chile, China, Finland, France, Netherlands, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Operative paragraph 4 was adopted by 75 votes to 1, with 5 abstentions.

Operative paragraph 5 was adopted by a roll-call vote of 65 to none, with 16 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Japan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Niger, Nigeria, Norway,

Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Austria, Belgium, Canada, Chile, China, Cyprus, Denmark, Finland, France, Greece, Ireland, Italy, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland.

Operative paragraph 7 was adopted by a roll-call vote of 74 to 1, with 6 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Austria, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Portugal.

*Abstaining:* Australia, Belgium, Finland, France, Netherlands, United Kingdom of Great Britain and Northern Ireland.

The draft resolution as a whole, as orally amended, was adopted by a roll-call vote of 76 to none, with 6 abstentions. The voting was as follows:

*In favour:* Afghanistan, Argentina, Austria, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Belgium, France, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland.

### **Recommendation of the Fourth Committee**

14. The Fourth Committee accordingly recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]

## ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 963rd plenary meeting, on 16 March 1961, the General Assembly adopted the draft resolution submitted by the Fourth Committee (A/4709, para. 9). For the final text, see resolution 1593 (XV), below.

At its 979th plenary meeting, on 7 April 1961, the General Assembly adopted the draft resolution submitted by the Fourth Committee (A/4721, para. 14). For the final text, see resolution 1596 (XV), below.

## Resolutions adopted by the General Assembly

1593 (XV). APPEAL TO MEMBER STATES WHICH HAVE PARTICULARLY CLOSE AND CONTINUOUS RELATIONS WITH THE GOVERNMENT OF THE UNION OF SOUTH AFRICA, WITH RESPECT TO THE SITUATION IN THE TERRITORY OF SOUTH WEST AFRICA

*The General Assembly,*

*Recalling* the many resolutions adopted, since its first session, on the question of South West Africa, and especially resolution 1568 (XV) of 18 December 1960;

*Noting with concern* that up to the present time the Government of the Union of South Africa has ignored those resolutions and has, instead, adopted an attitude contrary to the purposes and principles of the Charter of the United Nations,

*Noting with special concern* the refusal of the Mandatory Power to implement resolution 1568 (XV),

*Likewise noting with concern* the continued acts whereby, since 1950, the Government of the Union of South Africa has attempted to bring about the assimilation of the Territory of South West Africa, and in particular the so-called referendum of 5 October 1960 in which only the "European" inhabitants of the Territory were permitted to take part,

*Considering* that the conduct of the Government of the Union of South Africa constitutes a challenge to the authority of the United Nations,

*Considering* that attempts at the assimilation of the Mandated Territory of South West Africa, culminating in the so-called referendum held on 5 October 1960, are totally unacceptable as having no moral or legal basis and being repugnant to the letter and spirit of the Mandate,

*Appeals* to those Members of the United Nations which have particularly close and continuous relations with the Government of the Union of South Africa to bring, as a matter of urgency, all their influence to bear on that Government with a view to ensuring that it shall adjust its conduct to its obligations under the Charter of the United Nations and shall give effect to the resolutions adopted by the General Assembly.

963rd plenary meeting,  
16 March 1961.

1596 (XV). QUESTION OF SOUTH WEST AFRICA

*The General Assembly,*

*Bearing in mind* the provisions of the General Assembly's Declaration on the granting of independence to colonial countries and peoples (resolution 1514 (XV)), which declares that immediate steps shall be taken to transfer all powers to such peoples, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to

race, creed or colour, in order to enable them to enjoy complete independence and freedom,

*Recalling* its resolution 1568 (XV) of 18 December 1960 inviting the Committee on South West Africa to go to South West Africa immediately, *inter alia*, to investigate the situation prevailing in the Territory,

*Noting with deep regret* from the preliminary report of the Committee on South West Africa (A/4705) called for under the said resolution, that the Government of the Union of South Africa refuses to co-operate with the United Nations by facilitating the mission of the Committee on South West Africa,

*Convinced* that it is both the right and the duty of the United Nations to discharge fully and effectively its obligations with respect to the proper implementation, under its supervision, of the Mandate for South West Africa conferred upon His Britannic Majesty, to be exercised on his behalf by the Government of the Union of South Africa,

*Noting with grave concern* the continuing deterioration in the situation in South West Africa resulting from the continued application, in violation of the letter and spirit of the Mandate, of tyrannical policies and practices, such as *apartheid*, of the administration of the Union of South Africa in South West Africa,

*Reiterating its concern* that this situation constitutes a serious threat to international peace and security,

1. *Recognizes and supports* the passionate yearning of the people of South West Africa for freedom and the exercise of national independence and sovereignty;

2. *Rejects* the position taken by the Government of the Union of South Africa in refusing to co-operate with the United Nations in the implementation of General Assembly resolution 1568 (XV) as well as other resolutions concerning South West Africa;

3. *Deplores* the attempts at the assimilation of the Mandated Territory of South West Africa, culminating in the so-called referendum held on 5 October 1960, as totally unacceptable, having no moral or legal basis and being repugnant to the letter and spirit of the Mandate;

4. *Considers* that the full and effective discharge of the tasks assigned to the Committee on South West Africa in operative paragraph 4 of General Assembly resolution 1568 (XV) is essential to the protection of the lives and property of the inhabitants of South West Africa, to the amelioration of the prevailing conditions in South West Africa, the continuance of which is likely to endanger international peace and security, and to the exercise of the right of self-determination by the people of South West Africa in complete freedom and of their right of accession to national sovereignty and independence with the least delay;

5. *Requests* the Committee on South West Africa, therefore, immediately to proceed to discharge the special and urgent tasks entrusted to it in resolution 1568 (XV) as fully and expeditiously as possible with the co-operation of the Government of the Union of South Africa if such co-operation is available, and without it if necessary;

6. *Requests* the States Members of the United Nations to extend to the Committee on South West Africa such assistance as it may require in the discharge of these tasks;

7. *Decides* to call the attention of the Security Council to the situation in respect of South West Africa, which, if allowed to continue, will, in the General Assembly's view, endanger international peace and security, and to the present resolution, the full implementation of which is necessary to bring that situation to a speedy end;

8. *Takes note with grave concern* of reports of the terrorization of, and armed action against, the indigenous inhabitants, and calls upon the Government of the Union of South Africa to desist from such acts;

9. *Requests* the Committee on South West Africa to submit to the General Assembly, at its sixteenth session, a report on the implementation of resolution 1568 (XV) as well as the present resolution.

*979th plenary meeting,  
7 April 1961.*

### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 43 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/123	Statement by the Union of South Africa on the outcome of their consultations with the peoples of South West Africa as to the future status of the Mandated Territory and implementation to be given to the wishes thus expressed	<i>Official Records of the General Assembly, Second Part of the First Session, Fourth Committee, Trusteeship, Part I</i>
A/2953	Third Report of the United Nations Commission on the Racial Situation in the Union of South Africa	<i>Ibid.</i> , Tenth Session, Supplement No. 14
A/3625	Special report of the Committee on South West Africa	<i>Ibid.</i> , Twelfth Session, Supplement No. 12A
A/3906 and Add.1	Report of the Committee on South West Africa	<i>Ibid.</i> , Thirteenth Session, Supplement No. 12
A/4404	Report of the Trusteeship Council, 7 August 1959-30 June 1960	<i>Ibid.</i> , Fifteenth Session, Supplement No. 4
A/4464	Report of the Committee on South West Africa	<i>Ibid.</i> , Supplement No. 12
A/AC.73/2	Report of the Sub-Committee on Legal Questions to the Committee on South West Africa	Mimeographed
A/AC.73/3	Petitions and Communications relating to South West Africa dealt with in the Report of the Committee on South West Africa to the General Assembly at its fifteenth session	Ditto
A/AC.73/L.3	Information and documentation in respect of the Territory of South West Africa (Committee on South West Africa, eighth session)	Ditto
A/AC.73/L.14	Information and documentation in respect of the Territory of South West Africa	Ditto
A/C.4/443 and Add.1 and 2	Requests for hearings	Ditto
A/C.4/447	Letter dated 20 October 1960 from the Permanent Representative of the Union of South Africa to the United Nations addressed to the Chairman of the Fourth Committee	Ditto
A/C.4/458	Statement made by the representative of Guinea at the 1063rd meeting of the Fourth Committee	Ditto; for summary see <i>Official Records of the General Assembly, Fifteenth Session, Fourth Committee, 1063rd meeting</i>
A/C.4/459	Statement made by the representative of Mexico at the 1063rd meeting of the Fourth Committee	<i>Ibid.</i>
A/C.4/461	Letter dated 28 November 1960, addressed to the Chairman of the Fourth Committee by Mr. Sam Nujoma, President of the South West Africa Peoples Organisation	Mimeographed
A/C.4/465	Letter dated 15 December 1960, addressed to the Chairman of the Fourth Committee by Mr. Sam Nujoma, President of the South West Africa Peoples Organisation	Ditto
A/C.4/470 and Add.1	Requests for hearings	Ditto
A/C.4/L.652/Rev.1 and Add.1 and 2	Cameroun, Central African Republic, Chad, Congo (Brazzaville), Dahomey, Ghana, Guinea, Iraq, Ivory Coast, Libya, Morocco, Niger, Nigeria, Senegal, Somalia, Sudan, Togo, Tunisia, United Arab Republic and Upper Volta: revised draft resolution	Adopted without change. See A/4643, para. 47, draft resolution III
A/C.4/L.653/Rev.2	Chad, Ghana, Guinea, Libya, Morocco, Nigeria, Sudan, Togo, Tunisia, United Arab Republic: revised draft resolution	See A/4643, para. 37
A/C.4/L.654	El Salvador and Tunisia: amendment to draft resolution recommended for adoption by the Committee on South West Africa (A/4464, annex I)	<i>Ibid.</i> , para. 30
A/C.4/L.655	Ghana and India: draft resolution	<i>Ibid.</i> , para. 24
A/C.4/L.660	Mexico and Venezuela: draft resolution	<i>Ibid.</i> , para. 45

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.4/L.662 and Add.1	Draft report of the Fourth Committee	Same text as A/4643
A/C.4/L.671/Rev.1 and Corr.1	Appeal to Member States with respect to the situation in the Territory of South West Africa—Mexico and Venezuela: revised draft resolution	Adopted without change. See A/4709, para. 9
A/C.4/L.672	Draft interim report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1103rd meeting, see A/4709
A/C.4/L.676	Draft report of the Fourth Committee	Same text as A/4721



**Agenda item 44: Question of the future of Western Samoa\***

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**DOCUMENT A/C.4/454**

**Constitution adopted by the Constitutional Convention of Western Samoa  
on 28 October 1960<sup>1</sup>**

[*Original text: English*]  
[15 November 1960]

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## THE CONSTITUTION OF THE INDEPENDENT STATE OF WESTERN SAMOA

## PREAMBLE

*In the Holy Name of God, the Almighty, the Ever Loving,*

*Whereas* sovereignty over the Universe belongs to the Omnipresent God alone, and the authority to be exercised by the people of Western Samoa within the limits prescribed by His commandments is a sacred heritage,

*Whereas* the Leaders of Western Samoa have declared that Western Samoa should be an Independent State based on Christian principles and Samoan custom and tradition,

*And whereas* the Constitutional Convention representing the people of Western Samoa, has resolved to frame a constitution for the Independent State of Western Samoa,

*Wherein* the State should exercise its powers and authority through the chosen representatives of the people,

*Wherein* should be secured to all the people their fundamental rights,

*Wherein* the impartial administration of justice should be fully maintained,

*And wherein* the integrity of Western Samoa, its independence, and all its rights should be safeguarded,

*Now therefore*, we the people of Western Samoa in our Constitutional Convention, this twenty-eighth day of October 1960, do hereby adopt, enact, and give to ourselves this Constitution.

## Part I

## THE INDEPENDENT STATE OF WESTERN SAMOA AND ITS SUPREME LAW

*Name and description*

1. (1) The Independent State of Western Samoa (hereinafter referred to as Western Samoa) shall be free and sovereign.

(2) Western Samoa shall comprise the islands of Upolu, Savai'i, Manono and Apolima in the South Pacific Ocean, together with all other islands adjacent thereto and lying between the 13th and 15th degrees of south latitude and the 171st and 173rd degrees of longitude west of Greenwich.

*The supreme law*

2. (1) This Constitution shall be the supreme law of Western Samoa.

(2) Any existing law and any law passed after the date of coming into force of this Constitution which is inconsistent with this Constitution shall, to the extent of the inconsistency, be void.

## Part II

## FUNDAMENTAL RIGHTS

*Definition of the State*

3. In this part, unless the context otherwise requires, "the State" includes the Head of State, Cabinet, Parliament and all local and other authorities established under any law.

*Remedies for enforcement of rights*

4. (1) Any person may apply to the Supreme Court by appropriate proceedings to enforce the rights conferred under the provisions of this part.

(2) The Supreme Court shall have power to make all such orders as may be necessary and appropriate to secure to the applicant the enjoyment of any of the rights conferred under the provisions of this part.

*Right to life*

5. (1) No person shall be deprived of his life intentionally, except in the execution of a sentence of a court following his conviction of an offence for which this penalty is provided by Act.

(2) Deprivation of life shall not be regarded as having been inflicted in contravention of the provisions of this Article when it results from the use of force to such extent and in such circumstances as are prescribed by law and as are reasonably justifiable:

(a) In defence of any person from violence; or

(b) In order to effect an arrest or to prevent the escape of a person detained, if the person who is being arrested or who is escaping is believed on reasonable grounds to be in possession of a firearm; or

(c) For the purpose of suppressing a riot, insurrection or mutiny.

*Right to personal liberty*

6. (1) No person shall be deprived of his personal liberty except in accordance with law.

(2) Where complaint is made to the Supreme Court that a person is being unlawfully detained, the Court shall inquire into the complaint and, unless satisfied that the detention is lawful, shall order him to be produced before the Court and shall release him.

(3) Every person who is arrested shall be informed promptly of the grounds of his arrest and of any charge against him and shall be allowed to consult a legal practitioner of his own choice without delay.

(4) Every person who is arrested or detained shall be produced before a Judge of the Supreme Court or some other person holding judicial office within a period of twenty-four hours (excluding the time of any necessary journey), and no such person shall be detained beyond that period without the authority of a Judge of the Supreme Court or some other person holding judicial office.

*Freedom from inhuman treatment*

7. No person shall be subjected to torture or to inhuman or degrading treatment or punishment.

*Freedom from forced labour*

8. (1) No person shall be required to perform forced or compulsory labour.

(2) For the purposes of this Article, the term "forced or compulsory labour" shall not include:

(a) Any work required to be done in consequence of a sentence of a court; or

(b) Any service of a military character or, in the case of conscientious objectors, service exacted instead of compulsory military service; or

(c) Any service exacted in case of an emergency or calamity threatening the life or well-being of the community; or

(d) Any work or service which is required by Samoan custom or which forms part of normal civic obligations.

#### *Right to a fair trial*

9. (1) In the determination of his civil rights and obligations or of any charge against him for any offence, every person is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established under the law. Judgement shall be pronounced in public, but the public and representatives of news services may be excluded from all or part of the trial in the interests of morals, public order or national security, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

(2) Nothing in clause (1) shall invalidate any law by reason only that it confers upon a tribunal, Minister or other authority power to determine questions arising in the administration of any law that affect or may affect the civil rights of any person.

(3) Every person charged with an offence shall be presumed innocent until proved guilty according to law.

(4) Every person charged with an offence has the following minimum rights:

(a) To be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;

(b) To have adequate time and facilities for the preparation of his defence;

(c) To defend himself in person or through legal assistance of his own choosing and, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;

(d) To examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

(e) To have the free assistance of an interpreter, if any doubt exists as to whether he can understand or speak the language used in court.

(5) No person accused of any offence shall be compelled to be a witness against himself.

#### *Rights concerning criminal law*

10. (1) No person shall be convicted of an offence other than an offence defined by law.

(2) No person shall be held guilty of any offence on account of any act or omission which did not constitute an offence at the time when it was committed; nor shall a heavier penalty be imposed than the one that was applicable at the time that the offence was committed.

(3) No person who has been tried for any offence shall, after conviction or acquittal, again be tried for that offence except:

(a) Where a retrial is ordered or conducted by a court or judicial officer exercising a jurisdiction superior to that under which that person was acquitted or convicted; or

(b) In the case of a conviction entered in a trial conducted by a Judge or Judges of the Supreme Court,

where a retrial is ordered by a Judge of that Court on an application made within fourteen days of that conviction.

#### *Freedom of religion*

11. (1) Every person has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others, and, in public or private, to manifest and propagate his religion or belief in worship, teaching, practice and observance.

(2) Nothing in clause (1) shall affect the operation of any existing law or prevent the State from making any law in so far as that existing law or the law so made imposes reasonable restrictions on the exercise of the right conferred under the provisions of that clause in the interests of national security or of public order, health or morals, or for protecting the rights and freedom of others, including their rights and freedom to observe and practice their religion without the unsolicited interference of members of other religions.

#### *Rights concerning religious instruction*

12. (1) No person attending any educational institution shall be required to receive religious instruction or take part in any religious ceremony or attend religious worship, if that instruction, ceremony or worship relates to a religion other than his own.

(2) Every religious community or denomination shall have the right to establish and maintain educational institutions of its own choice and to provide therein religious instruction for pupils of that community or denomination.

(3) Nothing in clause (2) shall prevent the State from making any law requiring the inspection of educational institutions and the maintenance therein of standards in keeping with the general educational level in Western Samoa.

#### *Rights regarding freedom of speech, assembly, association, movement and residence*

13. (1) All citizens of Western Samoa shall have the right:

(a) To freedom of speech and expression; and

(b) To assemble peaceably and without arms; and

(c) To form associations or unions; and

(d) To move freely throughout Western Samoa and to reside in any part thereof.

(2) Nothing in subclause (a) of clause (1) shall affect the operation of any existing law or prevent the State from making any law in so far as that existing law or the law so made imposes reasonable restrictions on the exercise of the right conferred under the provisions of that subclause in the interests of national security, friendly relations with other States, or public order or morals, for protecting the privileges of the Legislative Assembly, for preventing the disclosure of information received in confidence, or for preventing contempt of court, defamation or incitement to any offence.

(3) Nothing in subclauses (b) or (c) of clause (1) shall affect the operation of any existing law or prevent the State from making any law in so far as that existing law or the law so made imposes reasonable restrictions on the exercise of either or both of the rights conferred under the provisions of those subclauses in the interests of national security or public order, health or morals.

(4) Nothing in subclause (d) of clause (1) shall affect the operation of any existing law or prevent the State from making any law in so far as that existing law or the law so made imposes reasonable restrictions on the exercise of the right conferred under the provisions of that subclause in the interests of national security, the economic well-being of Western Samoa, or public order, health or morals, for detaining persons of unsound mind, for preventing any offence, for the arrest and trial of persons charged with offences, or for punishing offenders.

#### *Rights regarding property*

14. (1) No property shall be taken possession of compulsorily, and no right over or interest in any property shall be acquired compulsorily, except under the law which, of itself or when read with any other law:

(a) Requires the payment within a reasonable time of adequate compensation therefor; and

(b) Gives to any person claiming that compensation a right of access, for the determination of his interest in the property and the amount of compensation, to the Supreme Court; and

(c) Gives to any party to proceedings in the Supreme Court relating to such a claim the same rights of appeal as are accorded generally to parties to civil proceedings in that Court sitting as a court of original jurisdiction.

(2) Nothing in this article shall be construed as affecting any general law:

(a) For the imposition or enforcement of any tax, rate or duty; or

(b) For the imposition of penalties or forfeitures for breach of the law, whether under civil process or after conviction of an offence; or

(c) Relating to leases, tenancies, mortgages, charges, bills of sale, or any other rights or obligations arising out of contracts; or

(d) Relating to the vesting and administration of the property of persons adjudged bankrupt or otherwise declared insolvent, of infants or persons suffering under some physical or mental disability, of deceased persons, and of companies, other corporate bodies and unincorporated societies, in the course of being wound up; or

(e) Relating to the execution of judgements or orders of courts; or

(f) Providing for the taking of possession of property which is in a dangerous state or is injurious to the health of human beings, plants or animals; or

(g) Relating to trusts and trustees; or

(h) Relating to the limitation of actions; or

(i) Relating to property vested in statutory corporations; or

(j) Relating to the temporary taking of possession of property for the purposes of any examination, investigation or inquiry; or

(k) Providing for the carrying out of work on land for the purpose of soil conservation or for the protection of water catchment areas.

#### *Freedom from discriminatory legislation*

15. (1) All persons are equal before the law and entitled to equal protection under the law.

(2) Except as expressly authorized under the provisions of this Constitution, no law and no executive or administrative action of the State shall, either ex-

pressly or in its practical application, subject any person or persons to any disability or restriction or confer on any person or persons any privilege or advantage on grounds only of descent, sex, language, religion, political or other opinion, social origin, place of birth, family status, or any of them.

(3) Nothing in this article shall:

(a) Prevent the prescription of qualifications for the service of Western Samoa or the service of a body corporate directly established under the law; or

(b) Prevent the making of any provision for the protection or advancement of women or children or of any socially or educationally retarded class of persons.

(4) Nothing in this article shall affect the operation of any existing law or the maintenance by the State of any executive or administrative practice being observed on Independence Day:

Provided that the State shall direct its policy towards the progressive removal of any disability or restriction which has been imposed on any of the grounds referred to in clause (2) and of any privilege or advantage which has been conferred on any of those grounds.

### *Part III*

#### *THE HEAD OF STATE*

##### *O le Ao o le Malō*

16. There shall be a Head of State of Western Samoa to be known as O le Ao o le Malō.

##### *Tupua Tamasese Mea'ole and Malietoa Tanumafili II*

17. (1) Notwithstanding anything to the contrary contained in this part and subject to the provisions of this article, Tupua Tamasese Mea'ole and Malietoa Tanumafili II shall on Independence Day assume jointly the office of Head of State. They shall be known jointly as O le Ao o le Malō and severally as O le Ao o le Malō.

(2) On the death on or after Independence Day of either of the persons named in clause (1), the survivor shall continue to hold the office of Head of State.

(3) In the event of the death before Independence Day of either of the persons named in clause (1), the survivor shall on Independence Day assume the office of Head of State.

(4) The provisions of this part, except the provisions of articles 18 and 19, shall apply to each of Tupua Tamasese Mea'ole or Malietoa Tanumafili II as a joint holder or as sole holder of the office of Head of State, as the case may be.

(5) On the death, resignation or removal from office of both the persons named in clause (1) or of the survivor of either of them, this article shall cease to be in force.

##### *Election of Head of State*

18. (1) The Head of State shall be elected by the Legislative Assembly under the provisions of the First Schedule.

(2) A person shall not be qualified to be elected to the office of Head of State:

(a) If he is not a person qualified to be elected as a Member of Parliament; or

(b) If he does not possess such other qualifications as the Legislative Assembly may determine from time to time by resolution; or

(c) If he has previously been removed from the office of Head of State under the provisions of clause (2) of article 21.

(3) The validity of the election of the Head of State shall not be contested in any court.

#### *Term of office of Head of State*

19. (1) Subject to the provisions of articles 17 and 21, the Head of State shall hold office for a term of five years from the date on which he assumes the functions of his office:

Provided that, notwithstanding the expiry of his term, he shall continue to hold office until his successor assumes the functions of his office or for a period of three months, whichever is the shorter period.

(2) Subject to the provisions of this Constitution, a person who holds, or who has held, office as Head of State, shall be eligible for re-election to that office.

(3) An election to fill a vacancy in the office of Head of State caused by the death, resignation or removal of the Head of State or by the expiry of the term of his office shall be held under the provisions of the First Schedule, and, subject to the provisions of this Constitution, the person elected to that office shall hold office for a term of five years from the date on which he assumes the functions of his office.

#### *Disabilities of Head of State*

20. The Head of State shall not hold any other office of profit or any other position carrying the right to remuneration for the rendering of services, or engage in any occupation for reward outside the functions of his office; but nothing in this clause shall prevent him from holding the *pule* over any customary land, from holding any freehold land or other private property, or from disposing of the produce of any customary or freehold land.

#### *Resignation and removal from office*

21. (1) The Head of State may resign his office by writing under his hand addressed to the Prime Minister, who shall forthwith advise the Speaker of the Legislative Assembly of that resignation.

(2) The Head of State may be removed from office by the Legislative Assembly on the ground of misbehaviour or of infirmity of body or mind.

(3) No proposal for the removal from office of the Head of State under the provisions of clause (2) shall be effective unless:

(a) Notice of motion setting out the grounds for the proposed removal has been given in writing and signed by not less than one-fourth of the total number of Members of Parliament (including vacancies); and

(b) A period of at least fourteen days has elapsed between that notice and the debate on the motion; and

(c) The motion has been agreed to by not less than two-thirds of the total number of Members of Parliament (including vacancies).

(4) A resolution carried under the provisions of clause (3), shall have the effect of removing the Head of State from his office as from the date on which the resolution is so carried.

#### *Salary of Head of State*

22. The salary of the Head of State shall be determined by Act and shall be charged on the Treasury Fund, and that salary shall not be diminished during

the period of office of the Head of State, unless as part of a general reduction of salaries applied proportionately to all persons whose salaries are determined by Act.

#### *Absence or incapacity*

23. (1) While any vacancy exists in the office of Head of State or during the absence from Western Samoa of the Head of State, the Council of Deputies shall perform the functions of the office of Head of State.

(2) Whenever the Chief Justice declares in writing that he is satisfied by evidence, which shall include, where possible, the evidence of the wife and of at least two physicians, that the Head of State is by reason of infirmity of body or mind incapable for the time being of performing his functions as Head of State, or that he is satisfied by evidence that the Head of State is for some definite cause not available for the performance of those functions, then, until it is declared in like manner that the Head of State has so far recovered his health as to warrant his resumption of the functions of the office of Head of State or has become available for the performance thereof, as the case may be, those functions shall be performed by the Council of Deputies.

#### *Special provisions as to absence or incapacity*

24. While Tupua Tamasese Mea'ole and Malietoa Tanumafili II hold jointly the office of Head of State, the following provisions shall apply:

(a) During any period for which one joint holder of office is absent from Western Samoa or is incapable of or not available for, the performance of his functions as Head of State, the other joint holder shall perform those functions.

(b) During any period for which neither of the joint holders is able to perform the functions of the office of Head of State, whether by reason of absence from Western Samoa, incapacity or unavailability, the Council of Deputies shall perform those functions.

(c) For the purposes of this article, the Chief Justice shall determine, under the provisions of clause (2) of article 23, the period during which a joint holder is incapable of, or not available for, the performance of his functions as Head of State.

#### *Council of Deputies*

25. (1) There shall be a Council of Deputies, which shall consist of not more than three persons elected by the Legislative Assembly:

Provided that, if the Assembly shall not have elected a Council of Deputies, the Chief Justice shall assume the functions of the Council.

(2) A person shall not be qualified to be elected as, or continue to be, a member of the Council of Deputies unless he is qualified to be elected as Head of State under the provisions of article 18.

(3) An election of members of the Council of Deputies shall be held as soon as possible after each election of a Head of State:

Provided that, while the provisions of article 17 are in force, an election of members of the Council of Deputies shall be held as soon as possible after Independence Day and, thereafter, at intervals of not less than four years and nine months and not more than five years and three months.

(4) If at any time the number of members of the Council of Deputies is less than three, the Legislative Assembly may elect as a member of the Council a

person qualified to be elected under the provisions of clause (2), and any person so elected shall hold office until the next ensuing election held under the provisions of clause (3).

(5) Subject to the provisions of clause (2), a member of the Council of Deputies shall be eligible for re-election.

(6) A member of the Council of Deputies may resign his office by writing under his hand addressed to the Prime Minister, who shall forthwith advise the Speaker of the Legislative Assembly of that resignation.

(7) The Legislative Assembly may, on a motion carried by not less than two-thirds of the total number of Members of Parliament (including vacancies), remove from office a member of the Council of Deputies on the ground of stated misbehaviour or of infirmity of body or mind.

(8) The salaries of members of the Council of Deputies shall be determined by Act and shall be charged on the Treasury Fund. The salaries of such members shall not be diminished during their period of office, unless as part of a general reduction of salaries applied proportionately to all persons whose salaries are determined by Act.

(9) A member of the Council of Deputies shall not be qualified to be elected as a Member of Parliament:

Provided that the provisions of the clause shall not disqualify a member of the Council from being elected to the office of Head of State.

(10) The Council of Deputies shall determine which of its members shall, from time to time, preside over the Council.

(11) Subject to the provisions of this Constitution, the Council of Deputies may regulate its procedure in such manner as it thinks fit.

#### *Head of State to act on advice*

26. (1) Except as otherwise provided in this Constitution, the Head of State in the performance of his functions shall act on the advice of Cabinet, the Prime Minister or the appropriate Minister, as the case may be.

(2) If Cabinet, the Prime Minister or an appropriate Minister tenders advice to the Head of State as to the performance of any function of the Head of State and, if the Head of State does not, within seven days after the date on which the tendering of that advice comes to the notice of the Secretary to the Head of State, accept that advice or take some other action in relation thereto which he is entitled to take under the provisions of this Constitution or of any Act, the Head of State shall be deemed to have accepted that advice; and an instrument under the hand of the Secretary to Cabinet, acting on the instruction of the Prime Minister, to that effect shall operate as the performance of the function concerned in accordance with that advice.

#### *Information for Head of State*

27. It shall be the duty of the Prime Minister:

(a) To arrange for the circulation to the Head of State of copies of the agenda and minutes of Cabinet and of all other papers laid before Cabinet at the time when they are circulated to Ministers; and

(b) To furnish such information relating to the administration of the affairs of Western Samoa and proposals for legislation as the Head of State may call for.

#### *Oath of office*

28. The Head of State and each member of the Council of Deputies shall, before assuming the functions of his office, take and subscribe before the Chief Justice on oath in the form set out in the Third Schedule.

#### *Public Seal*

29. The Head of State shall keep and use the Public Seal of Western Samoa.

#### *Secretary to Head of State*

30. There shall be a Secretary to the Head of State.

### *Part IV*

#### THE EXECUTIVE

##### *Executive power*

31. (1) The executive power of Western Samoa shall vest in the Head of State and shall be exercised by him under the provisions of this Constitution.

(2) Nothing in clause (1) shall prevent Parliament from conferring by Act functions on authorities other than the Head of State.

##### *Cabinet*

32. (1) There shall be a Cabinet of Ministers, who shall have the general direction and control of the executive government of Western Samoa and shall be collectively responsible therefor to Parliament.

(2) Cabinet shall be appointed as follows:

(a) The Head of State shall appoint as Prime Minister to preside over Cabinet a Member of Parliament who commands the confidence of a majority of the Members of Parliament.

(b) The Head of State shall, acting on the advice of the Prime Minister, appoint eight other Members of Parliament to be Ministers.

(c) If an appointment is to be made while the Legislative Assembly is dissolved, a person who was a Member of Parliament immediately before the Assembly was last dissolved may be appointed to be Prime Minister or a Minister.

(d) Appointments under the provisions of this clause shall be made by the Head of State by instrument under the Public Seal.

##### *Vacation of office*

33. (1) The appointment of the Prime Minister who is in office at the commencement of the first session of the Legislative Assembly following a dissolution thereof shall be terminated by the Head of State on the seventh day of that session if the Prime Minister has not sooner resigned.

(2) The appointment of the Prime Minister shall also be terminated by the Head of State:

(a) If the Prime Minister ceases to be a Member of Parliament for any reason other than a dissolution of the Legislative Assembly; or

(b) If the Legislative Assembly passes a motion in express words of no confidence in Cabinet or if Cabinet is defeated on any question or issue which the Prime Minister has declared to be a question or issue of confidence:

Provided that, if after the passing of such a motion or after that defeat the Prime Minister so requests, the

Head of State may dissolve the Legislative Assembly instead of terminating the appointment of the Prime Minister; or

(c) If the Prime Minister resigns his office by writing under his hand addressed to the Head of State; or

(d) If the Prime Minister is absent from Western Samoa without written permission given by the Head of State, acting in his discretion.

(3) The office of any other Minister shall become vacant:

(a) If the appointment of the Prime Minister has been terminated under the provisions of clause (1) or clause (2); or

(b) If the appointment of the Minister to that office is revoked by the Head of State, acting on the advice of the Prime Minister, by instrument under the Public Seal; or

(c) If the Minister ceases to be a Member of Parliament for any reason other than a dissolution of the Legislative Assembly; or

(d) If the Minister resigns his office by writing under his hand addressed to the Head of State; or

(e) If the Minister is absent from Western Samoa without written permission given by the Head of State, acting on the advice of the Prime Minister.

(4) Whenever, by reason of illness or of absence from Western Samoa with the written permission of the Head of State, the Prime Minister is temporarily prevented from performing, in Western Samoa, the functions of his office, the Head of State may, by instrument under the Public Seal, appoint another Minister to perform those functions until such time as the Prime Minister is capable of again performing them or has vacated his office.

(5) The power conferred on the Head of State under the provisions of clause (4) shall be exercised by the Head of State, acting in his discretion, if in his opinion it is impracticable to obtain the advice of the Prime Minister by reason of the illness or absence of the Prime Minister and, in any other case, shall be exercised by the Head of State, acting on the advice of the Prime Minister.

(6) The Head of State, acting on the advice of the Prime Minister, may by instrument under the Public Seal:

(a) Declare a Minister to be by reason of illness temporarily incapable of performing his functions as a Minister; or

(b) Suspend a Minister during the period of any investigation or inquiry into the conduct of that Minister.

(7) Any Minister in respect of whom action has been taken under the provisions of clause (6) shall not perform any of the functions of his office or sit in or otherwise take part in the proceedings of Cabinet until the Head of State, acting on the advice of the Prime Minister, has revoked the aforesaid instrument under the Public Seal.

#### *Official oath*

34. Every Minister shall, before assuming the functions of his office, take and subscribe before the Head of State an oath in the form set out in the Third Schedule.

#### *Assignment of responsibilities to Ministers*

35. (1) The Prime Minister may, by direction in writing under his hand:

(a) Charge any Minister with the responsibility for any Department or subject; and

(b) Revoke or vary any direction given under the provisions of this clause.

(2) The Prime Minister may retain in his charge any Department or subject.

#### *Summoning of Cabinet*

36. Cabinet shall be summoned only by the Prime Minister or, in his absence, by such Minister as the Prime Minister shall appoint in that behalf.

#### *Cabinet procedure*

37. (1) Subject to the provisions of this Constitution, Cabinet may regulate its procedure (including the fixing of a quorum) in such manner as it thinks fit.

(2) There shall be a Secretary to Cabinet.

(3) Cabinet shall not be disqualified for the transaction of business by reason of any vacancy in the number of its members, and any proceedings of Cabinet shall be valid notwithstanding that some person who was not entitled to do so sat or voted in Cabinet or otherwise took part in the proceedings

(4) It shall be the duty of the Prime Minister, if the Head of State so requires, to submit for the consideration of Cabinet any matter on which a decision has been taken by a Minister (including the Prime Minister) but which has not been considered by Cabinet.

(5) A decision of Cabinet shall be recorded in minutes which shall, under the hand of the Secretary to Cabinet, be communicated to the Secretary to the Head of State within twenty-four hours of the making of the decision.

(6) A decision of Cabinet shall not take effect except under the provisions of article 38.

#### *When decisions of Cabinet are to take effect*

38. (1) A decision of Cabinet shall take effect:

(a) On its approval by the Head of State, acting in his discretion; or

(b) On the expiry of four days after the date of the decision, unless a meeting of the Executive Council is sooner held under the provisions of article 40; or

(c) If the issue involved in the decision is, in the opinion of a majority of Ministers present and voting at the meeting at which the decision is taken, of extreme urgency, on the expiry of one day after the date of the decision, unless a meeting of the Executive Council is sooner held under the provisions of article 40; or

(d) Under the provisions of article 40.

(2) For the purposes of subclauses (b) and (c) of clause (1), the date of a decision of Cabinet shall be the date on which the minutes in which the decision is recorded are communicated to the Secretary to the Head of State under the provisions of clause (5) of article 37.

(3) An instrument under the hand of the Secretary to Cabinet certifying that a decision of Cabinet has taken effect shall be conclusive evidence that that decision has taken effect.

#### *Executive Council*

39. (1) There shall be an Executive Council of Western Samoa, which shall consist of:

(a) The Head of State;

(b) The Prime Minister and Ministers holding office under the provisions of articles 32 and 33.

(2) Subject to the provisions of this Constitution, the Executive Council may regulate its procedure (including the fixing of a quorum) in such manner as it thinks fit.

(3) The Secretary to Cabinet shall be Clerk of the Executive Council.

#### *Consideration of Cabinet decisions by Executive Council*

40. (1) The Head of State, acting in his discretion, or the Prime Minister may summon a meeting of the Executive Council to consider any decision recorded in the minutes of a Cabinet meeting.

(2) If at a meeting of the Executive Council thus summoned the Head of State supports the decision concerned, that decision shall take effect as a decision of Cabinet.

(3) If at a meeting of the Executive Council thus summoned the Head of State opposes the decision concerned or requests any amendment thereto, Cabinet shall thereupon be summoned under the provisions of article 36 and requested to reconsider that decision.

(4) If Cabinet after that reconsideration reaffirms its original decision or accepts the amendment requested by the Head of State, the original decision or the decision as so amended, as the case may be, shall forthwith take effect as a decision of Cabinet.

(5) If Cabinet after that reconsideration adopts a decision which incorporates an amendment to its original decision, other than an amendment requested by the Head of State under the provisions of clause (3), the decision as so amended shall operate as a new decision of Cabinet to which the provisions of clauses (5) and (6) of article 37 shall apply.

#### *Attorney-General*

41. (1) The Head of State, acting on the advice of the Prime Minister, shall appoint an Attorney-General, who shall be a person qualified to be a Judge of the Supreme Court.

(2) The Attorney-General shall advise on legal matters referred to him by the Head of State, Cabinet, the Prime Minister or a Minister and shall have power, exercisable in his discretion, to institute, conduct or discontinue any proceedings for an offence alleged to have been committed.

(3) The Attorney-General shall have a right of audience in, and shall take precedence over any other person appearing before, any court or tribunal.

(4) The powers of the Attorney-General may be exercised by him in person or by officers subordinate to him, acting under and in accordance with his general or special instructions.

(5) The Attorney-General shall hold office for such term or terms and under such conditions as may be determined by the Head of State, acting on the advice of the Prime Minister.

### *Part V*

#### PARLIAMENT

##### *Parliament*

42. There shall be a Parliament of Western Samoa, which shall consist of the Head of State and the Legislative Assembly.

##### *Power to make laws*

43. Subject to the provisions of this Constitution, Parliament may make laws for the whole or any part of Western Samoa and laws having effect outside as well as within Western Samoa.

##### *Members of the Legislative Assembly*

44. (1) The Legislative Assembly shall consist of:

(a) One member elected for each of forty-five territorial constituencies having such names and comprising such *nu'u* or *pitonu'u* or *nu'u* and *pitonu'u* as are prescribed from time to time by Act;

(b) Members elected by those persons whose names appear on the individual voters' roll.

(2) The number of members to be elected under the provisions of subclause (b) of clause (1) shall be determined under the provisions of the Second Schedule.

(3) Subject to the provisions of this Constitution, the mode of electing members of the Legislative Assembly, the terms and conditions of their membership, the qualifications of electors, and the manner in which the roll for each territorial constituency and the individual voters' roll shall be established and kept shall be prescribed by law.

(4) Members of the Legislative Assembly shall be known as Members of Parliament.

##### *Qualifications for membership*

45. (1) Any person shall be qualified to be elected as a Member of Parliament who:

(a) Is a citizen of Western Samoa; and

(b) Is not disqualified under the provisions of this Constitution or of any Act.

(2) If any person other than a person qualified under the provisions of clause (1) is elected as a Member of Parliament, the election of that person shall be void.

##### *Tenure of office of members*

46. (1) Every Member of Parliament shall cease to be a Member at the next dissolution of the Legislative Assembly after he has been elected or previously thereto if his seat becomes vacant under the provisions of clause (2).

(2) The seat of a Member of Parliament shall become vacant:

(a) Upon his death; or

(b) If he resigns his seat by writing under his hand addressed to the Speaker; or

(c) If he ceases to be a citizen of Western Samoa; or

(d) If he becomes disqualified under the provisions of this Constitution or of any Act.

##### *Decisions on questions as to membership*

47. All questions that may arise as to the right of any person to be or to remain a Member of Parliament shall be referred to and determined by the Supreme Court.

##### *Filling vacancies*

48. Whenever the seat of a Member of Parliament becomes vacant under the provisions of clause (2) of article 46, the Speaker shall, by writing under his hand, report that vacancy to the Head of State, and the vacancy shall be filled by election in the manner provided by law.

*Election of Speaker*

49. (1) The Legislative Assembly shall, immediately when it first meets after a general election and as soon as possible after any vacancy occurs in the office of Speaker otherwise than by reason of a dissolution of the Assembly, elect a Member of Parliament to be Speaker of the Legislative Assembly.

(2) The Speaker, upon being elected and before assuming the functions of his office, shall take and subscribe before the Head of State an Oath of Allegiance in the form set out in the Third Schedule.

(3) The Speaker may at any time resign his office by writing under his hand addressed to the Clerk of the Legislative Assembly and shall vacate his office:

- (a) If he ceases to be a Member of Parliament; or
- (b) If he is appointed to be a Minister.

*The Deputy Speaker*

50. (1) The Legislative Assembly may elect a Member of Parliament, not being a Minister, to be Deputy Speaker.

(2) The Deputy Speaker may at any time resign his office by writing under his hand addressed to the Clerk of the Legislative Assembly and shall vacate his office:

- (a) If he ceases to be a Member of Parliament; or
- (b) If he is appointed to be a Minister; or
- (c) If he is elected to be Speaker.

(3) Subject to the provisions of this Constitution, the functions conferred under the provisions of this Constitution upon the Speaker shall, if there is no person holding the office of Speaker or if the Speaker is absent from Western Samoa or is otherwise unable to perform those functions, be performed by the Deputy Speaker.

*Clerk of the Legislative Assembly*

51. There shall be a Clerk of the Legislative Assembly.

*Meetings of the Legislative Assembly*

52. The Legislative Assembly shall meet at such times and at such places as the Head of State appoints from time to time in that behalf by notice published in the *Western Samoa Gazette* and recorded in the *Savali*:

Provided that the Assembly shall meet not later than forty-five days after the holding of a general election and at least once in every year thereafter, so that a period of twelve months shall not intervene between the last sitting of the Assembly in one session and the first sitting thereof in the next session.

*Standing Orders*

53. Subject to the provisions of this Constitution, the Legislative Assembly may make, amend and repeal standing orders regulating its procedure.

*Languages*

54. (1) All debates and discussions in the Legislative Assembly shall be conducted in the Samoan language and the English language.

(2) The minutes and the debates of the Legislative Assembly, every bill introduced therein, every paper presented thereto, and all minutes of proceedings, minutes of evidence and reports of committees of the Assembly shall be in the Samoan language and the English language.

*Presiding over Legislative Assembly*

55. The Speaker, or in his absence the Deputy Speaker, shall preside over sittings of the Legislative Assembly. In the absence from any sitting of both the Speaker and the Deputy Speaker, the Members of Parliament present shall choose one of their number (not being a Minister) to preside over that sitting.

*Proceedings are valid*

56. The Legislative Assembly shall not be disqualified for the transaction of business by reason of any vacancy among the Members of Parliament, including any vacancy not filled at a general election, and any proceedings therein shall be valid notwithstanding that some person who was not entitled to do so sat or voted in the Assembly or otherwise took part in the proceedings.

*Quorum*

57. No business shall be transacted at any sitting of the Legislative Assembly if objection is taken by any Member of Parliament present that the number of Members present is (besides the Speaker or other Member presiding) fewer than one-half of the total number of Members of Parliament (excluding vacancies).

*Voting*

58. (1) Except as otherwise provided in this Constitution, every question before the Legislative Assembly shall be decided by a majority of the votes of the Members of Parliament present.

(2) The Speaker, or the Deputy Speaker or any other Member of Parliament while presiding over a sitting of the Legislative Assembly in the absence of the Speaker, shall not have a deliberative vote but, in the case of an equality of votes, shall have a casting vote.

*Introduction of bills etc. into Legislative Assembly*

59. Subject to the provisions of this part and of the Standing Orders of the Legislative Assembly, any Member of Parliament may introduce any bill or propose any motion for debate in the Assembly or present any petition to the Assembly, and the same shall be considered and disposed of under the provisions of the Standing Orders:

Provided that, except upon the recommendation or with the consent of the Head of State, the Assembly shall not proceed upon any bill which, in the opinion of the Speaker, the Deputy Speaker or other Member of Parliament presiding, would dispose of or charge the Treasury Fund or any other public fund or account, or revoke or alter any disposition thereof or charge thereon, or impose, alter or repeal any tax, rate or duty.

*Bills assented to become Acts of Parliament*

60. (1) No bill shall become a law until the Head of State has given his assent thereto.

(2) Whenever a bill which has been passed by the Legislative Assembly is presented to the Head of State for his assent, he shall, acting on the advice of the Prime Minister, declare that he assents to the bill or that he refuses his assent to the bill.

(3) A law assented to by the Head of State as herein provided shall be known as an Act of Parliament and shall come into force either on the day on which it is assented to, or on any date (whether earlier or later than the date on which it is assented to) specified in that behalf in the Act.

### *Oath of allegiance*

61. Except for the purpose of enabling this article to be complied with and for the election of a Speaker, no Member of Parliament shall sit or vote in the Legislative Assembly until he shall have taken and subscribed before the Assembly an Oath of Allegiance in the form set out in the Third Schedule.

### *Privileges of Legislative Assembly*

62. The privileges, immunities and powers of the Legislative Assembly, of the committees thereof and of Members of Parliament may be determined by Act:

Provided that no such privilege or power may extend to the imposition of a fine or to committal to prison for contempt or otherwise, unless provision is made by Act for the trial and punishment of the person concerned by the Supreme Court.

### *Prorogation and dissolution of Legislative Assembly*

63. (1) The Head of State may at any time, by notice published in the *Western Samoa Gazette*, prorogue the Legislative Assembly.

(2) If, at any time, the office of Prime Minister is vacant, the Head of State shall, by notice published in the *Western Samoa Gazette*, dissolve the Legislative Assembly as soon as he is satisfied, acting in his discretion, that a reasonable period has elapsed since that office was last vacated and that there is no Member of Parliament likely to command the confidence of a majority of the Members.

(3) The Head of State may at any time, by notice published in the *Western Samoa Gazette*, dissolve the Legislative Assembly, if he is advised by the Prime Minister to do so, but shall not be obliged to act in this respect in accordance with the advice of the Prime Minister unless he is satisfied, acting in his discretion, that, in tendering that advice, the Prime Minister commands the confidence of a majority of the Members of Parliament.

(4) The Head of State shall dissolve the Legislative Assembly at the expiry of three years from the date of the last preceding general election, if it has not been sooner dissolved.

### *General elections*

64. There shall be a general election of the Legislative Assembly at such time within three months after every dissolution of the Assembly as the Head of State appoints by notice in the *Western Samoa Gazette*.

## *Part VI*

### THE JUDICIARY

#### *Constitution of the Supreme Court*

65. (1) There shall be a Supreme Court of Western Samoa, which shall be a superior court of record and shall consist of a Chief Justice and such number of other Judges as may be determined by Act.

(2) The Chief Justice of the Supreme Court shall be appointed by the Head of State, acting on the advice of the Prime Minister.

(3) A person shall not be qualified for appointment as a Judge of the Supreme Court unless:

(a) He possesses such qualifications as the Head of State, acting on the advice of the Judicial Service Commission, may prescribe; and

(b) He has been in practice as a barrister in Western Samoa, or in an approved country, or partly in the one and partly in the other, for a period of, or periods amounting in the aggregate to, not less than eight years.

(4) In computing, for the purposes of subclause (b) of clause (3), the period or periods during which any person has been in practice as a barrister, any period or periods during which he has held judicial office in a court of superior or subordinate jurisdiction in Western Samoa or an approved country shall be included.

(5) For the purposes of this article or of clause (4) of article 75 or of both of them, the Head of State, acting on the advice of the Judicial Service Commission, may designate as an approved country any country which, in the opinion of the Commission, has a legal system similar to that existing in Western Samoa.

#### *Powers of Judges of the Supreme Court*

66. Each Judge of the Supreme Court or any two or more Judges may, in any part of Western Samoa and at any time or place, exercise all the powers of the Supreme Court.

#### *Oath of office*

67. Every Judge of the Supreme Court shall, before assuming the functions of his office, take and subscribe before the Head of State an oath in the form set out in the Third Schedule.

#### *Tenure of office*

68. (1) Except in the case of an appointment made under the provisions of clause (2), a Judge of the Supreme Court shall hold office until he reaches the age of sixty-two years:

Provided that the Head of State, acting (in the case of the Chief Justice) on the advice of the Prime Minister or (in the case of any other Judge of the Supreme Court) on the advice of the Judicial Service Commission, may extend the period of office of a Judge who has reached the age of sixty-two years.

(2) Any person of any age who is not a citizen of Western Samoa and who is qualified for appointment under the provisions of clause (3) of article 65 may be appointed to hold office as a Judge of the Supreme Court for a term of years.

(3) Nothing done by a Judge of the Supreme Court in the performance of his functions shall be deemed to be invalid by reason only that he has reached the age at which he is required by this article to retire or that his term of office has expired, as the case may be.

(4) A Judge of the Supreme Court may resign his office by writing under his hand addressed to the Head of State.

(5) A Judge of the Supreme Court shall not be removed from office, except by the Head of State on an address of the Legislative Assembly carried by not less than two-thirds of the total number of Members of Parliament (including vacancies), praying for his removal from office on the ground of stated misbehaviour or of infirmity of body or mind.

(6) The Head of State, acting (in the case of the Chief Justice) on the advice of the Prime Minister or (in the case of any other Judge of the Supreme Court) on the advice of the Judicial Service Commission, may at any time when the Legislative Assembly is not meeting suspend a Judge of the Supreme Court from his office, and such suspension, unless previously revoked,

shall continue in force until the end of the next ensuing session and no longer.

#### *Salaries of Judges of the Supreme Court*

69. The salaries of Judges of the Supreme Court to whom clause (1) of article 68 applies shall be determined by Act and shall be charged on the Treasury Fund. The salaries of such Judges shall not be diminished during their period of office, unless as part of a general reduction of salaries applied proportionately to all persons whose salaries are determined by Act.

#### *Acting Chief Justice*

70. (1) While any vacancy exists in the office of Chief Justice or during any absence from Western Samoa of the Chief Justice, the senior Judge of the Supreme Court shall have authority to act as Chief Justice and to perform the functions of the office of Chief Justice.

(2) Wherever by reason of illness or any cause other than absence from Western Samoa the Chief Justice is unable to perform the functions of the office of Chief Justice, the Head of State, acting on the advice of the Prime Minister, may authorize the senior Judge of the Supreme Court to act as Chief Justice until the Chief Justice resumes those functions, and during that period, to perform those functions.

(3) The authority conferred on the Acting Chief Justice under the provisions of this article shall not include power to preside over the Court of Appeal unless he is qualified by virtue of his seniority to preside thereover under the provisions of clause (3) of article 75.

#### *Acting Judge of the Supreme Court*

71. (1) If the office of any Judge of the Supreme Court (other than the Chief Justice) is vacant or if any such Judge is unable to perform the functions of his office, the Head of State, acting on the advice of the Judicial Service Commission, may appoint a person qualified under the provisions of clause (3) of article 65 to be temporarily a Judge of the Supreme Court:

Provided that a person may be so appointed notwithstanding that he has attained the age of sixty-two years.

(2) Any person appointed under the provisions of clause (1) to be temporarily a Judge of the Supreme Court shall hold office for the period of his appointment or, if no such period is specified, until his appointment is revoked by the Head of State, acting on the advice of the Judicial Service Commission:

Provided that he may at any time resign his office by writing under his hand addressed to the Head of State.

#### *Judicial Service Commission*

72. (1) There shall be a Judicial Service Commission, which shall consist of:

(a) The Chief Justice, as President:

(b) The Attorney-General or, if for any reason the Attorney-General is unable to act, the Chairman of the Public Service Commission:

(c) A person nominated from time to time by the Minister of Justice.

(2) No business shall be transacted by the Judicial Service Commission unless three members are present, and all questions proposed for decision by the Com-

mission shall be decided by a majority of the votes of those members.

(3) The power of appointing, promoting and transferring any judicial officer, other than the Chief Justice, and of dismissing any judicial officer, other than a Judge of the Supreme Court, is hereby vested in the Head of State, acting on the advice of the Judicial Service Commission.

#### *Jurisdiction of the Supreme Court*

73. (1) The Supreme Court shall have such original, appellate and revisional jurisdiction as may be provided by Act.

(2) Without prejudice to any appellate or revisional jurisdiction of the Supreme Court, where in any proceedings before another court (except the Court of Appeal) a question arises as to the interpretation or effect of any provision of this Constitution, the Supreme Court may, on the application of any party to the proceedings, determine that question and either dispose of the case or remit it to that other court to be disposed of in accordance with the determination.

(3) The Head of State, acting on the advice of the Prime Minister, may refer to the Supreme Court for its opinion any question as to the interpretation or effect of any provision of this Constitution which has arisen or appears likely to arise, and the Court shall pronounce its opinion on any question so referred to it.

#### *Subordinate courts*

74. There shall be such subordinate courts possessing such jurisdiction and powers as may be provided by Act.

#### *Constitution of Court of Appeal*

75. (1) There shall be a Court of Appeal of Western Samoa, which shall be a superior court of record.

(2) Subject to the provisions of this part, the Judges of the Court of Appeal shall be:

(a) The Chief Justice and other Judges of the Supreme Court:

(b) Such persons, possessing the qualifications prescribed under the provisions of clause (3) of article 65, as may be appointed from time to time by the Head of State, acting on the advice of the Judicial Service Commission.

(3) The Chief Justice shall be President of the Court of Appeal, but, in his absence, the senior Judge of the Court present at the appeal or, if the Judges so present are of the same seniority, a Judge designated by the Chief Justice shall preside.

(4) Judges of the Court of Appeal shall take seniority according to the respective dates of their first appointment as Judges of a superior court in Western Samoa or in any approved country.

(5) An appointment under the provisions of sub-clause (b) of clause (2) shall be for a period of time or for the trial or hearing of particular causes or matters, as may be specified in the instrument of appointment.

#### *Number of Judges*

76. (1) Any three Judges of the Court of Appeal may exercise all the powers of the Court:

Provided that any two Judges of the Court may act as the Court of Appeal for the purpose of delivering any judgment of the Court.

(2) The judgment of the Court of Appeal shall be in accordance with the opinion of the majority of the Judges present.

*Judges not to sit on appeals from own decisions*

77. A Judge of the Court of Appeal shall not sit on the hearing of an appeal from any decision made by him or by a court on which he sat as a member.

*Oath of office.*

78. Any person appointed under the provisions of subclause (b) of clause (2) of article 75 to be a Judge of the Court of Appeal shall, on first appointment, take and subscribe before the Head of State an oath in the form set out in the Third Schedule.

*General jurisdiction of Court of Appeal*

79. Subject to the provisions of this Constitution, the Court of Appeal shall have jurisdiction to hear and determine such appeals (including proceedings removed by order of the Supreme Court to the Court of Appeal) as may be provided by Act.

*Jurisdiction on constitutional questions*

80. (1) An appeal shall lie to the Court of Appeal from any decision of the Supreme Court in any proceeding, if the Supreme Court certifies that the case involves a substantial question of law as to the interpretation or effect of any provision of this Constitution.

(2) Where the Supreme Court has refused to give such a certificate, the Court of Appeal may, if it is satisfied that the case involves a substantial question of law as to the interpretation or effect of any provision of this Constitution, grant special leave to appeal from that decision.

(3) Where such a certificate is given or such leave is granted, any party in the case may appeal to the Court of Appeal on the ground that any such question as aforesaid has been wrongly decided and, with the leave of that Court, on any other ground.

*Jurisdiction in respect of fundamental rights*

81. An appeal shall lie to the Court of Appeal from any decision of the Supreme Court in any proceedings under the provisions of article 4.

*Definition of "decision"*

82. In articles 77, 80, 81 and 119, "decision" includes judgment, decree, order, writ, declaration, conviction, sentence, opinion or other determination.

*Part VII*

THE PUBLIC SERVICE

*Interpretation*

83. The "Public Service" means the service of Western Samoa; but does not include service remunerated by way of fees or commission only, honorary service, or service in any of the following capacities, namely as:

- (a) Head of State; or
- (b) A member of the Council of Deputies; or
- (c) Prime Minister or a Minister; or
- (d) Speaker or Deputy Speaker; or
- (e) A Member of Parliament; or
- (f) A Judge of the Supreme Court or any other judicial officer; or

(g) Attorney-General or

(h) Controller and Chief Auditor; or

(i) A member of the Public Service Commission who is not an employee of the Public Service at the time of his appointment to be a member of the Public Service Commission; or

(j) An officer of police or an officer of prisons; or

(k) A member of any uniformed branch of any defence force.

*Public Service Commission*

84. (1) There shall be a Public Service Commission of Western Samoa, which shall consist of not more than three persons appointed by the Head of State, acting on the advice of the Prime Minister.

(2) The Head of State, acting on the advice of the Prime Minister, shall appoint one of the members of the Public Service Commission to be Chairman.

(3) No person shall be appointed to be or shall remain a member of the Public Service Commission:

(a) If he is not or ceases to be a citizen of Western Samoa; or

(b) If he is or becomes a Member of Parliament.

(4) No member of the Public Service Commission shall hold concurrently any other office in the Public Service.

(5) The powers of the Public Service Commission shall not be affected by any vacancy in the number of its members, and any proceedings of the Commission shall be valid notwithstanding that some person who was not entitled to do so took part in those proceedings.

*Term of office*

85. (1) A member of the Public Service Commission shall be appointed to hold office for a term of not more than three years but shall be eligible for re-appointment.

(2) A member of the Public Service Commission may at any time resign his office by writing under his hand addressed to the Prime Minister but shall not be removed from office except on the like grounds and in the like manner as a Judge of the Supreme Court.

(3) The Head of State, acting on the advice of the Prime Minister, may at any time when the Legislative Assembly is not meeting suspend a member of the Public Service Commission from his office, and such suspension, unless previously revoked, shall continue in force until the end of the next ensuing session and no longer.

*Salaries*

86. The salaries of members of the Public Service Commission shall be determined by the Head of State, acting on the advice of the Prime Minister.

*Functions of the Commission*

87. (1) Subject to the provisions of clause (3), the Public Service Commission shall be responsible for the appointment, promotion, transfer, termination of appointment, dismissal and disciplinary control of the Public Service and shall have such other functions as may be provided by Act.

(2) In the performance of its functions, the Public Service Commission shall have regard to the general policy of Cabinet relating to the Public Service, and shall give effect to any decision of Cabinet defining that

policy conveyed to the Commission in writing by the Prime Minister.

(3) An Act of Parliament may designate as a special post any post of head of department or any post of a corresponding grade; and the appointment to any post so designated shall be made by the Head of State, acting on the advice of the Prime Minister after the Prime Minister has consulted the Public Service Commission.

#### *Procedure and Annual Report*

88. (1) Subject to the provisions of this Constitution and of any law, the Public Service Commission may:

(a) Regulate its procedure (including the fixing of a quorum) in such manner as it thinks fit; and

(b) Delegate any of its functions to any of its members or to any person or persons.

(2) The Commission shall make an annual report on its activities to the Head of State, who shall cause a copy of that report to be laid before the Legislative Assembly.

#### *Public Service Board of Appeal*

89. (1) There shall be a Public Service Board of Appeal, which shall consist of:

(a) The Chief Justice or a judicial officer nominated by the Chief Justice;

(b) One person appointed by, and holding office at the pleasure of, the Head of State, acting on the advice of the Prime Minister;

(c) One person, being an officer of the Public Service, elected by the officers of the Public Service and holding office for a term not exceeding three years.

(2) The Chief Justice or the person nominated by the Chief Justice shall be Chairman of the Public Service Board of Appeal.

(3) An Act of Parliament may:

(a) Prescribe the manner of election of the person to be elected under the provisions of subclause (c) of clause (1);

(b) Provide for the appointment of deputies to act for members of the Public Service Board of Appeal appointed under the provisions of subclauses (b) and (c) of clause (1);

(c) Prescribe the jurisdiction of the Board of Appeal to hear and determine appeals from decisions of the Public Service Commission.

### *Part VIII*

#### FINANCE

##### *Public funds*

90. There shall be a Treasury Fund and such other public funds or accounts as may be provided by Act.

##### *Restriction on taxation*

91. No taxation shall be imposed except by Parliament.

##### *Public revenue*

92. All taxes and other revenues and moneys raised or received by Western Samoa shall be paid into the Treasury Fund unless required or permitted by Act to be paid into any other public fund or account.

##### *Payment out of public funds*

93. No money shall be issued out of the Treasury Fund or any other public fund or account except in

pursuance of a warrant under the hand of the Head of State.

##### *Appropriation of expenditure*

94. (1) The Minister responsible for finance shall, in respect of every financial year, cause to be laid before the Legislative Assembly a statement of the estimated receipts and expenditure for that year, and, unless Parliament in respect of any year otherwise provides, that statement shall be so laid before the commencement of that year.

(2) The proposals for all expenditure contained in the estimates (other than statutory expenditure) shall be submitted to the vote of the Legislative Assembly by means of an Appropriation Bill.

(3) If, in respect of any financial year, it is found:

(a) That any expenditure is incurred or is likely to be incurred upon any service which is in excess of the sum provided for that service by the Appropriation Act relating to that year; or

(b) That any expenditure (other than statutory expenditure) is incurred or is likely to be incurred upon any service not provided for by the Appropriation Act relating to that year,

the Minister responsible for finance shall cause to be laid before the Legislative Assembly supplementary estimates in respect of that expenditure, and the proposals for expenditure therein contained shall be submitted to the vote of the Assembly by means of a Supplementary Appropriation Bill.

(4) Statutory expenditure, which shall not be submitted to the vote of the Legislative Assembly under the provisions of this article, means:

(a) The expenditure charged on the Treasury Fund under the provisions of articles 22, 25, 69 and 98; and

(b) Such other expenditure as may by Act be charged upon the Treasury Fund or any other public fund or account and in such Act be expressly stated to be statutory expenditure.

(5) The Legislative Assembly may approve or refuse its approval to any proposal for expenditure contained in an Appropriation or Supplementary Appropriation Bill, but may not increase the amount or alter the destination of any proposed expenditure.

##### *Expenditure in anticipation of appropriation*

95. If an Appropriation Bill has not become law by the first day of the financial year to which it relates, the Minister responsible for finance may, with the prior approval of Cabinet, authorize such expenditure (not otherwise authorized by Act) as he may consider essential for the continuance of any services, until an Appropriation Bill becomes law:

Provided that the expenditure so authorized shall not exceed the amount of any unexpended balance of the vote in the Appropriation law for the preceding year together with an amount equal to one-fourth of that vote.

##### *Unauthorized expenditure*

96. Where, during the period between the passing of the Appropriation Act for any financial year and the end of that year, it is desirable that money should be expended in excess of or without the appropriation of the Legislative Assembly, Cabinet or, to the extent that Cabinet so authorizes, the Minister responsible for finance may authorize the expenditure of such sums as are considered necessary:

Provided that the total amount of all sums issued and paid under the provisions of this article shall not exceed one per cent of the total amount of all sums appropriated by the Appropriation Act for that year.

#### *Controller and Chief Auditor*

97. (1) There shall be a Controller and Chief Auditor, who shall be appointed by the Head of State, acting on the advice of the Prime Minister.

(2) A person who has held the office of Controller and Chief Auditor shall not be eligible for appointment to any other office in the service of Western Samoa within a period of three years of his having ceased to hold the office of Controller and Chief Auditor.

(3) The Controller and Chief Auditor shall hold office until he reaches the age of sixty years:

Provided that the Legislative Assembly may by resolution extend the period of office of a Controller and Chief Auditor who has reached the age of sixty years.

(4) The Controller and Chief Auditor may at any time resign his office by writing under his hand addressed to the Prime Minister but shall not be removed from office except on the like grounds and in the like manner as a Judge of the Supreme Court.

(5) The Head of State, acting on the advice of the Prime Minister, may at any time when the Legislative Assembly is not meeting suspend the Controller and Chief Auditor from his office, and such suspension, unless previously revoked, shall continue in force until the end of the next ensuing session and no longer.

#### *Salary of Controller and Chief Auditor*

98. The Salary of the Controller and Chief Auditor shall be determined by Act and shall be charged on the Treasury Fund, and that salary shall not be diminished during the period of office of the Controller and Chief Auditor, unless as part of a general reduction of salaries applied proportionately to all persons whose salaries are determined by Act.

#### *Audit of accounts*

99. (1) The Controller and Chief Auditor shall audit the Treasury Fund, such other public funds or accounts as may be established, the accounts of all Departments and offices of executive government and the accounts of such other public, statutory or local authorities and bodies as may be provided by Act.

(2) The Controller and Chief Auditor shall report at least once annually to the Legislative Assembly on the performance of his functions under this article and shall in his report draw attention to any irregularities in the accounts audited by him.

### *Part IX*

#### LAND AND TITLES

##### *Matai titles*

100. A *matai* title shall be held in accordance with Samoan custom and usage and with the law relating to Samoan custom and usage.

##### *Land in Western Samoa*

101. (1) All land in Western Samoa is customary land, freehold land or public land.

(2) Customary land means land held from Western Samoa in accordance with Samoan custom and usage and with the law relating to Samoan custom and usage.

(3) Freehold land means land held from Western Samoa for an estate in fee simple.

(4) Public land means land vested in Western Samoa being land that is free from customary title and from any estate in fee simple.

#### *No alienation of customary land*

102. It shall not be lawful or competent for any person to make any alienation or disposition of customary land or of any interest in customary land, whether by way of sale, mortgage or otherwise howsoever, nor shall customary land or any interest therein be capable of being taken in execution or be assets for the payment of the debts of any person on his decease or insolvency:

Provided that an Act of Parliament may authorize:

(a) The granting of a lease or licence of any customary land or of any interest therein;

(b) The taking of any customary land or any interest therein for public purposes.

#### *Land and Titles Court*

103. There shall be a Land and Titles Court with such composition and with such jurisdiction in relation to *matai* titles and customary land as many be provided by Act.

#### *Land below high-water mark*

104. (1) Subject to the provisions of any Act, all land lying below the line of high-water mark shall be public land.

(2) For the purposes of this article, the term "high-water mark" means the line of median high tide between the spring and neap tides.

### *Part X*

#### EMERGENCY POWERS

##### *Proclamation of Emergency*

105. (1) If the Head of State is satisfied, acting in his discretion after consultation with Cabinet, that a grave emergency exists whereby the security or economic life of Western Samoa or of any part thereof is threatened, whether by war, external aggression, internal disturbance or natural catastrophe, he may by proclamation (hereinafter referred to as a Proclamation of Emergency) declare that a state of emergency exists.

(2) A Proclamation of Emergency shall remain in force for a period of thirty days, if not sooner revoked, but the provisions of this clause shall not preclude the issue of a further Proclamation before the expiry of the period for which the immediately preceding Proclamation is in force.

(3) If the Legislative Assembly is meeting at the time the Proclamation of Emergency is made, the Proclamation shall forthwith be laid before the Assembly.

(4) If the Legislative Assembly is not meeting at the time the Proclamation of Emergency is made, the Head of State shall appoint a time for the Assembly to meet which time shall be as soon as the Head of State, acting in his discretion, considers that conditions make it practicable, and the Proclamation shall forthwith be laid before the Assembly:

Provided that, if not less than one-half of the total number of Members of Parliament (excluding vacan-

cies) by notice in writing to the Head of State require that a time for the meeting of the Assembly be appointed for the purposes of this clause, the Head of State shall appoint such a time which shall not be later than seven days after the date of receipt of that notice.

#### *Emergency Orders*

106. (1) When a Proclamation of Emergency has been made and so long as it remains in force, the Head of State may from time to time make such orders (hereinafter referred to as Emergency Orders) as appear to him to be necessary or expedient for securing the public safety, the defence of Western Samoa and the efficient prosecution of any war in which Western Samoa may be engaged, for maintaining public order and the supplies and services essential to the life of the community and generally for safeguarding the interests and maintaining the welfare of the community.

(2) Emergency Orders may empower or provide for empowering such authorities, persons or classes of persons as may be specified in the Orders to make regulations, rules or by-laws for any of the purposes for which Emergency Orders are authorized under the provisions of this article to be made, and may contain such incidental and supplementary provisions as appear to the Head of State to be necessary or expedient for making effective the powers conferred under the provisions of clause (1).

(3) Every Emergency Order, if otherwise valid, shall have effect notwithstanding anything contained in part II.

(4) No provision of any Emergency Order, and no regulation, rule or by-law duly made under the provisions of any such Order, shall be invalid because it deals with any matter already provided for under any law or because of any inconsistency with any such law.

#### *Orders to be laid before Legislative Assembly*

107. (1) If the Legislative Assembly is meeting at the time an Emergency Order is made under the provisions of article 106, the Order shall forthwith be laid before the Assembly; and, if the Assembly is not then meeting, the Order shall be laid before the Assembly as soon as the next meeting thereof commences.

(2) When an Emergency Order has been laid before the Legislative Assembly under the provisions of clause (1), a notice of motion, signed by six Members of Parliament and made within ten days of the day the Order was laid before the Assembly, praying that the Order be revoked shall be debated in the Assembly at the first convenient opportunity within four sitting days next after the day on which notice of motion was given and, if the Assembly resolves that the Order be revoked, it shall cease to be in force.

(3) All Emergency Orders made under the provisions of article 106, if not sooner revoked, shall expire on the date on which the Proclamation of Emergency ceases to be in force or, where more than one such Proclamation is made in respect of the emergency, when the last of those Proclamations ceases to be in force.

(4) The revocation or expiry of an Emergency Order shall not affect the previous operation thereof, the validity of anything done or omitted to be done thereunder, or any offence committed or any penalty or punishment incurred.

#### *Restriction on detention*

108. (1) For the purposes of this article, there shall be an advisory board, which shall consist of:

(a) A Chairman appointed by the Head of State from among the persons who are or have been Judges of the Supreme Court or are qualified to be Judges of the Supreme Court;

(b) Two other members appointed by the Head of State, acting in his discretion after consultation with the Chief Justice.

(2) Where an Emergency Order made under the provisions of article 106 authorizes the detention of any person:

(a) Any person detained under the provisions of that Order shall, as soon as possible, be informed of the grounds for his detention and, subject to the provisions of clause (3), of the allegations of fact on which it is based, and be given an opportunity of making representations to the advisory board against his detention; and

(b) No person shall be detained under the provisions of that Order for a period exceeding three months unless the advisory board has considered any representations made by him under the provisions of subclause (a) and has reported, before the expiry of that period, that there is in its opinion sufficient cause for the detention.

(3) This Article shall not require any authority or person who is authorized to detain any person under any Emergency Order made under the provisions of article 106 to disclose facts whose disclosure would in its or his opinion be against the national interest.

### *Part XI*

#### GENERAL AND MISCELLANEOUS

#### *Amendment of Constitution*

109. (1) Any of the provisions of this Constitution may be amended or repealed by Act, and new provisions may be inserted in this Constitution by Act, if a bill for any such purpose is supported at its third reading by the votes of not less than two-thirds of the total number of Members of Parliament (including vacancies) and if not fewer than ninety days elapse between the second and third readings of that bill:

Provided that no bill amending, repealing or adding to the provisions of article 102 or the provisions of this proviso shall be submitted to the Head of State for assent until it has been submitted to a poll of the electors on the rolls for the territorial constituencies established under the provisions of article 44 and unless it has been supported by two-thirds of the valid votes cast in such a poll.

(2) A certificate under the hand of the Speaker that a bill has been passed under the provisions of clause (1) shall be conclusive and shall not be questioned in any court.

#### *Power of pardon*

110. (1) The Head of State shall have power to grant pardons, reprieves and respites, and to remit, suspend or commute any sentence passed by any court, tribunal or authority established under the law.

(2) In the exercise of the powers conferred upon him under the provisions of clause (1), the Head of State shall act in his discretion after consultation with

such Minister as the Prime Minister shall designate from time to time.

### *Interpretation*

111. (1) In this Constitution, unless it is otherwise provided or the context otherwise requires:

“Act” or “Act of Parliament” means an Act of the Parliament of Western Samoa; and includes any Ordinance of the Legislative Assembly of the Trust Territory constituted under the provisions of the Samoa Amendment Act 1957;

“Cabinet” means the Cabinet of Ministers;

“Chief Justice” means the Chief Justice of the Supreme Court of Western Samoa;

“Court of Appeal” means the Court of Appeal of Western Samoa;

“Employee of the Public Service” means a person employed in the Public Service;

“Existing law” means any law in force in the Trust Territory of Western Samoa or any part thereof immediately before Independence Day;

“Head of State” means the Head of State of Western Samoa;

“High Court” means the High Court of Western Samoa constituted under the provisions of the Samoa Act 1921;

“Independence Day” means the day on which this Constitution comes into force under the provisions of article 113;

“Judicial officer” means the holder of any judicial office, but does not include an employee of the Public Service who exercises all or any of the functions of a judicial office;

“Law” means any law for the time being in force in Western Samoa; and includes this Constitution, any Act of Parliament and any proclamation, regulation, order, by-law or other act of authority made thereunder, the English common law and equity for the time being in so far as they are not excluded by any other law in force in Western Samoa, and any custom or usage which has acquired the force of law in Western Samoa or any part thereof under the provisions of any Act or under a judgement of a Court of competent jurisdiction;

“Legislative Assembly” means the Legislative Assembly constituted under the provisions of article 44;

“Legislative Assembly of the Trust Territory” means the Legislative Assembly constituted under the provisions of the Samoa Amendment Act 1957 and in being immediately before Independence Day;

“Minister” includes the Prime Minister;

“Office of profit” means any office in the service of Western Samoa carrying the right to salary, and includes any office declared by Act to be an office of profit;

“Officer of the Public Service” means an employee of the Public Service other than a person employed in a temporary capacity or on probation;

“Parliament” means the Parliament of Western Samoa;

“Proclamation” means a proclamation made by the Head of State under his hand and the Public Seal of Western Samoa and published in the *Western Samoa Gazette*;

“Property” includes real and personal property, any estate or interest in any real or personal property, any debt, any thing in action, and any other right or interest;

“Public Seal” means the Public Seal of Western Samoa;

“Public Service Commission” means the Public Service Commission of Western Samoa;

“Salary” includes salary or wages, allowances, superannuation rights, free or subsidized housing, free or subsidized transport, and other privileges capable of being valued in money;

“Service of Western Samoa” means service in any capacity of Western Samoa; and includes service in any of the capacities named in subclauses (a) to (k) inclusive of article 83, but not service in respect of the Western Samoa Trust Estates Corporation;

“Speaker” means the Speaker of the Legislative Assembly;

“Supreme Court” means the Supreme Court of Western Samoa;

“Western Samoa Trust Estates Corporations” means the corporation constituted under that name on Independence Day.

(2) Where in this Constitution reference is made to the Samoa Act 1921 or to any amendment to that Act, that reference shall be construed as a reference to the Act of the Parliament of New Zealand bearing the short title “the Samoa Act 1921” or to the relevant amendment thereto, including any amendment to that Act of the Parliament of New Zealand or that relevant amendment.

(3) Unless the context otherwise requires, where in this Constitution reference is made to a specified part, article or schedule, that reference shall be construed as a reference to that part or article of, or that schedule to, this Constitution; and, where reference is made to a specified clause, subclause or paragraph, that reference shall be construed as a reference to that clause of the article, that subclause of the clause or that paragraph of the subclause in which the reference occurs.

(4) Where under the provisions of this Constitution a person is required to take and subscribe an oath, he shall be permitted, if he so desires, to comply with that requirement by taking and subscribing an affirmation.

(5) Where in this Constitution reference is made to the functions of any office, that reference shall, unless the context otherwise requires, be construed as a reference to the functions of that office and to any powers and authorities that may lawfully be exercised by, and any duties that may be required to be performed by, the holder of that office.

(6) Where in this Constitution reference is made to any officer by the term designating his office, that reference shall, unless the context otherwise requires, be construed as a reference to the officer for the time being lawfully performing the functions of that office.

(7) Where this Constitution confers any power to make any appointment to any office, the person or authority having power to make the appointment shall, unless the context otherwise requires, have power, exercisable in a like manner:

(a) To direct that a person other than the person appointed shall, during any period that the person appointed is unable to perform the functions of his office owing to absence or inability to act from illness or any other cause, perform the functions of that office;

(b) To appoint another person substantively to an office notwithstanding that there is a substantive holder thereof, when that substantive holder is on leave of absence pending relinquishment of his office;

(c) To direct that a person shall perform the functions of that office when no person has been appointed thereto, either until a contrary direction shall be given by the person or authority having power to make the appointment or until a person shall have been appointed substantively thereto, whichever shall be the earlier.

#### *Authoritative texts*

112. The Samoan and English texts of this Constitution are equally authoritative but, in case of difference, the English text shall prevail.

#### *Coming into force*

113. This Constitution shall come into force on the day approved by the General Assembly of the United Nations as the date of the termination of the Trusteeship Agreement for the Territory of Western Samoa approved by the General Assembly on 13 December 1946.

### *Part XII*

#### TRANSITIONAL

##### *Existing law to continue*

114. Subject to the provisions of this Constitution:

(a) The existing law shall, until repealed by Act, continue in force on and after Independence Day; and

(b) All rights, obligations and liabilities arising under the existing law shall continue to exist on and after Independence Day and shall be recognized, exercised and enforced accordingly; and

(c) Proceedings in respect of offences committed against the existing law may be instituted on and after Independence Day in that court, established under the provisions of this Constitution, having the appropriate jurisdiction, and offenders shall be liable to the punishments provided by the existing law.

##### *Functions of Council of State*

115. Where the existing law confers any function on the Council of State of Western Samoa constituted under the provisions of the Samoa Amendment Act 1959, that function shall be performed by the Head of State, and where any such function is to be performed by the Council of State, acting by and with the advice of the Executive Council, that function shall be performed by the Head of State, acting by and with the advice of Cabinet.

##### *Tenure of office of Ministers*

116. Any person holding office as Prime Minister or as a Minister immediately before Independence Day shall be deemed to have been duly appointed thereto under the provisions of part IV.

##### *First Legislative Assembly*

117. (1) The Legislative Assembly of the Trust Territory shall continue in being on and after Independence Day as the Legislative Assembly, and the members of the Legislative Assembly of the Trust Territory shall be deemed to have been duly elected as Members of Parliament under the provisions of this Constitution.

(2) The Speaker and the Deputy Speaker of the Legislative Assembly of the Trust Territory who are in office immediately before Independence Day shall be deemed to have been duly elected as Speaker and Deputy Speaker, respectively, under the provisions of this Constitution.

(3) The first session of the Legislative Assembly shall commence within three months of Independence Day.

(4) For the purpose of the provisions of clause (4) of article 63, the general election at which the Legislative Assembly of the Trust Territory was elected shall be the date of the last preceding election in respect of the Legislative Assembly in being on and after Independence Day.

(5) Subject to the provisions of this Constitution, the Standing Orders of the Legislative Assembly of the Trust Territory in force immediately before Independence Day shall be the Standing Orders of the Legislative Assembly, and they may be amended, repealed or added to under the provisions of article 53.

(6) If the seat of a Member of Parliament becomes vacant before the date of the first general election to be held after Independence Day, that vacancy shall be filled under the law in force immediately before Independence Day in relation to the filling of vacancies in the membership of the Legislative Assembly of the Trust Territory.

##### *Existing Judges*

118. Subject to the provisions of this Constitution, a person holding office as a Judge of the High Court immediately before Independence Day shall, on and after that day, hold the office of Judge of the Supreme Court on the same terms and conditions as were applicable to him immediately before Independence Day.

##### *Existing legal proceedings*

119. (1) All legal proceedings pending in the High Court immediately before Independence Day shall, on and after that day, stand transferred to, and be deemed to be pending for determination before, that court, established under the provisions of this Constitution, having the appropriate jurisdiction.

(2) All appeals from the High Court which immediately before Independence Day lay to, or were pending in, any court having jurisdiction to hear such appeals shall, on and before that day, lie to or stand transferred to, and be deemed to be pending for determination before, the Court of Appeal.

(4) Any decision of the High Court or of any court having jurisdiction to hear appeals from the High Court shall have the same force and effect as if it had been delivered or made by the Supreme Court or the Court of Appeal, respectively.

##### *Existing officers to continue in office*

120. Subject to the provisions of this Constitution:

(a) A person who, immediately before Independence Day, holds the office of Attorney-General or of a member of the Public Service Commission shall, on and after that day, hold the corresponding office established under the provisions of this Constitution on the same terms and conditions as were applicable to him immediately before Independence Day; and

(b) A person who, immediately before Independence Day, is an employee of the Western Samoan Public

Service referred to in the Samoa Amendment Act 1949 shall, on and after that day, hold the like employment in the Public Service.

*Laws not brought into force before Independence Day*

121. Where any Ordinance was enacted or made by the Legislative Assembly of the Trust Territory and the coming into force of that Ordinance was suspended, that Ordinance may, on or after Independence Day, come into force on the date specified therein or as may be specified by any authority empowered to bring it into force; and, in such case, the Ordinance shall, on and after that date, take effect as an Act of Parliament.

*Adaptation of existing law*

122. Where in the existing law reference is made to Her Majesty the Queen in right of the Trust Territory of Western Samoa, to the Crown in right of the Trust Territory of Western Samoa, to the Trust Territory of Western Samoa, to Western Samoa or to Samoa, that reference shall, unless the context otherwise requires, be construed as a reference to Western Samoa.

*Vesting of property*

123. (1) All property which immediately before Independence Day is vested in Her Majesty the Queen in right of the Trust Territory of Western Samoa or in the Crown in right of the Trust Territory of Western Samoa shall, on Independence Day, vest in Western Samoa.

(2) Subject to the provisions of clause (3), land which immediately before Independence Day is, under the provisions of the Samoa Act 1921, Samoan land, European land or Crown land shall, on and after Independence Day, be held, under the provisions of this Constitution, as customary land, freehold land or public land, respectively.

(3) All land in Western Samoa which immediately before Independence Day is vested in the Crown in right of the Government of New Zealand shall, on Independence Day, become freehold land held by Her Majesty the Queen in right of the Government of New Zealand for an estate in fee simple.

*Transitional amendments to Constitution*

124. No amendments to the provisions of this Constitution shall be made before Parliament is constituted under the provisions of part V, except such as the Legislative Assembly of the Trust Territory may make by Ordinance to remove any difficulties in the transition from the constitutional arrangements in force immediately before Independence Day to those provided for in this Constitution; and any Ordinance made under the provisions of this article shall, unless sooner repealed, cease to be in force at the expiry of a period of nine months beginning with the day on which the Legislative Assembly first meets.

## SCHEDULE

### *First Schedule*

#### ELECTION OF THE HEAD OF STATE

1. (1) Not less than sixty days before the expiry of the term of office of a Head of State, the Speaker shall give notice in writing of the date on which the impending vacancy will occur to each Member of Parliament and in that notice appoint a day, being a day not less than thirty nor more than thirty-

five days (excluding the date of the vacancy) before the date of the vacancy, for the nomination of candidates for election as head of State.

(2) In the event of a vacancy occurring in the office of Head of State, otherwise than through the expiry of the term of office of a Head of State, the Speaker shall, as soon as possible thereafter, give notice in writing of that vacancy to each Member of Parliament and in that notice appoint a day, being a day not less than thirty nor more than thirty-five days (excluding the date of the vacancy) after the date of the vacancy, for the nomination of candidates for election as Head of State.

2. (1) If, at any time after the Speaker has given notice under the provisions of article 1, not fewer than ten Members of Parliament make a request in writing to the Head of State or the Council of Deputies, as the case may be, advising the Head of State or the Council of Deputies, as the case may be, that they wish to move to appoint a day for the nomination of candidates later than that appointed by the Speaker, the Head of State or the Council of Deputies, as the case may be, shall forthwith appoint a day, which shall be as soon as possible, for a meeting of the Legislative Assembly.

(2) At a meeting appointed under the provisions of clause (1), the Legislative Assembly may by resolution appoint a day for the nomination of candidates later than that appointed by the Speaker.

3. No person shall be deemed to be a candidate for election as Head of State unless nominated as follows: a nomination paper, signed by at least two Members of Parliament and by the candidate in token of his assent to the nomination, shall be delivered to the Clerk of the Legislative Assembly after the Speaker has given notice under the provisions of article 1 and before noon on the day appointed for the nomination of candidates.

4. (1) As soon as possible after the time appointed for the nomination of candidates, the Clerk of the Legislative Assembly shall inform each Member of Parliament in writing of the nominations received.

(2) If only one candidate is nominated, he shall be deemed to be elected, and the Clerk of the Legislative Assembly shall, at the time he informs Members of Parliament of that nomination, issue under his hand a public notice declaring the candidate concerned to be duly elected. The Clerk of the Assembly shall forthwith cause that notice to be published in the *Western Samoa Gazette*.

5. (1) If more than one candidate is nominated, the Head of State or the Council of Deputies, as the case may be, shall appoint a day, being a day not more than thirty days (excluding the day appointed for the nomination of candidates) after the day appointed for the nomination of candidates, for the Legislative Assembly to meet to consider the nominations.

(2) On the day so appointed for a meeting of the Legislative Assembly, the Assembly shall proceed to an election of the Head of State.

6. (1) In the election of the Head of State, the Speaker shall conduct a ballot in which each Member of Parliament present shall cast a vote for one of the candidates nominated for election.

(2) No candidate shall be elected unless he obtains an absolute majority of the votes of those Members of Parliament present and voting.

(3) If no candidate obtains an absolute majority of votes in the first ballot, further ballots shall be held to the number of not more than two, in an attempt to find a candidate who can obtain an absolute majority. If no candidate obtains an absolute majority after the holding of the third ballot, the candidate with the lowest number of votes in the third ballot shall be eliminated, and a fourth ballot shall be taken. If necessary, further ballots shall be held, after the elimination before each of those ballots of the candidate who received the lowest number of votes in the preceding ballot, until one candidate receives an absolute majority.

(4) When a candidate receives the required majority, the Speaker shall declare him to be duly elected, and the Clerk of the Legislative Assembly shall forthwith issue under his hand

a public notice to that effect and cause that notice to be published in the *Western Samoa Gazette*.

### *Second schedule*

#### MEMBERS OF PARLIAMENT TO BE ELECTED BY PERSONS WHOSE NAMES APPEAR ON THE INDIVIDUAL VOTERS' ROLL

1. Within one year of Independence Day and at intervals of not less than five and not more than six years thereafter, the Head of State shall appoint the Registrar of Electors as an Electoral Commissioner to determine the number of Members of Parliament to be elected by the persons whose names appear on the individual voters' roll.

2. The number of Members of Parliament to be elected by the persons whose names appear on the individual voters' roll shall bear, as nearly as possible, the same relationship to the number of persons deemed to be represented by those Members as the number of Members of Parliament to be elected by territorial constituencies bears to the number of persons deemed to be represented by those Members.

3. In making a determination under the provisions of articles 1 and 2, the Electoral Commissioner shall give effect to the following provisions:

(a) The number of persons deemed to be represented by the Members of Parliament to be elected by the persons whose names appear on the individual voters' roll shall be calculated by multiplying by three the number of persons whose names appear on the individual voters' roll as at 31 December in the year preceding the year of the appointment of the Electoral Commissioner.

(b) The Electoral Commissioner shall:

(i) Ascertain the official estimate of the population of Western Samoa (prepared under the authority of Cabinet) as at 31 December aforesaid; and

(ii) Estimate the number of persons included in the aforesaid estimate of population who are not citizens of Western Samoa.

(c) The number of persons deemed to be represented by Members of Parliament to be elected by territorial constituencies shall be calculated by deducting from the aforesaid estimate of population:

(i) The number of persons deemed to be represented by the Members to be elected by the persons whose names appear on the individual voters' roll; and

(ii) The number of persons who are not citizens of Western Samoa, estimated as aforesaid.

4. The Electoral Commissioner, in determining the number of Members of Parliament to be elected by the persons whose names appear on the individual voters' roll, shall regard as one any fraction thereof.

5. (1) The Electoral Commissioner shall report to the Head of State the determination he has made under the provisions of this schedule.

(2) On receipt of the report of the Electoral Commissioner, the Head of State shall forthwith cause the same to be published in the *Western Samoa Gazette*, and, within a period of

fourteen days from the date of that publication, objections may be submitted to the Electoral Commissioner. The Commissioner shall hear any such objections in public and, as soon as possible after the expiry of the period of fourteen days, either confirm to the Head of State his previous determination or submit to him a revised determination.

6. Upon receipt of such confirmation or revised determination, the Head of State shall forthwith, by Proclamation, declare the number of Members of Parliament to be elected by the persons whose names appear on the individual voters' roll.

### *Third schedule*

#### FORMS OF OATH

##### *1. Oath of Head of State*

I, . . . . ., swear by Almighty God that I will uphold the dignity of the office of Head of State, and will justly and faithfully carry out my duties in the administration of the Independent State of Western Samoa in accordance with the Constitution and the law. So help me God.

##### *2. Oath of Members of the Council of Deputies*

I, . . . . ., swear by Almighty God that I will well and truly serve the Independent State of Western Samoa, and will justly and faithfully carry out my duties as a member of the Council of Deputies in accordance with the Constitution and the law. So help me God.

##### *3. Oath of the Prime Minister and other Ministers*

I, . . . . ., being chosen and accepted as Prime Minister [a Minister] and member of Cabinet swear by Almighty God that I will to the best of my judgement, at all times when thereto required, freely give my counsel and advice to the Head of State, for the good management of the affairs of the Independent State of Western Samoa, and that I will not directly or indirectly reveal such matters as shall be debated in Cabinet and Committee and in Executive Council and committed to my secrecy, but that I will in all things be a true and faithful Prime Minister [Minister]. So help me God.

##### *4. Oath of allegiance to be taken and subscribed by the Speaker and Members of Parliament*

I, . . . . ., swear by Almighty God that I will be faithful and bear true allegiance to the Independent State of Western Samoa, and that I will justly and faithfully carry out my duties as a Member of the Parliament of Western Samoa. So help me God.

##### *5. Judicial oath to be taken by Judges of the Supreme Court and Court of Appeal*

I, . . . . ., swear by Almighty God that I will well and truly serve the Independent State of Western Samoa in accordance with the Constitution and the law; and I will do right to all manner of people, without fear or favour, affection or ill will. So help me God.

## DOCUMENT A/C.4/454/ADD.1

### Resolution adopted by the Constitutional Convention of Western Samoa<sup>2</sup>

[Original text: English]  
[30 November 1960]

#### PREFACE

The Constitutional Convention of Western Samoa was preceded by a Working Committee which approved a preliminary draft Constitution, and adopted a number of resolutions supplementary to some parts of the draft Constitution.

<sup>2</sup> Transmitted to the Secretary-General by the Permanent Representative of New Zealand to the United Nations, by a *note verbale* of 25 November 1960.

The Convention confirmed all the resolutions of the Working Committee, and itself initiated and adopted certain other resolutions.

This document contains all these resolutions. A note to each resolution states the date on which it was adopted by the Convention.

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## RESOLUTIONS OF THE CONSTITUTIONAL CONVENTION

### Part I

#### RESOLUTIONS ADOPTING RECOMMENDATIONS AND NOTES OF THE WORKING COMMITTEE

In this part are printed the recommendations and notes of the Working Committee on Self-Government which were submitted to the Constitutional Convention with the draft Constitution. By various resolutions these recommendations and notes were adopted without amendment as recommendations and notes of the Constitutional Convention itself.

#### *Resolution relating to part III of the Constitution*

*Resolution regarding eligibility for election to the office of Head of State* (see article 18, clause (2), subclause (b))

The Committee recommends:

That the Legislative Assembly should pass a resolution restricting eligibility for election to the office of Head of State to the *Tama-a-Aiga*.

(Adopted 14 September 1960.)

#### *Resolutions relating to part V of the Constitution*

*Resolution on the individual voters' roll* (see article 44, clause (1), subclause (b) and clause (3))

The Committee recommends:

1. That legislation should be passed providing for the establishment of an individual voters' roll.

2. That persons in any of the following categories should be eligible, provided they are citizens of Western Samoa over the age of twenty-one, to have their names included on the individual voters' roll:

(a) Persons whose names are included on the European roll on 31 December 1961;

(b) Persons who are the children of fathers whose names were included in, or who if then alive would have qualified to have their names included in, the European roll on 31 December 1961;

(c) Persons who acquire citizenship of Western Samoa by naturalization;

(d) Persons who are citizens of Western Samoa by birth and who are the children of fathers who are not citizens of Western Samoa or of fathers who if alive would not have automatically qualified to be citizens of Western Samoa.

3. That notwithstanding the provisions of clause 2, no person should be entitled to have his (or her) name so included if he (or she):

(a) Holds a *matai* title or is exercising any right or privilege in regard to customary land;

(b) Is married to a person holding a *matai* title or exercising any right or privilege in regard to customary land.

4. That any person, before his (or her) name is entered on the individual voters' roll, should sign, under oath, a declaration that he (or she) does not hold a *matai* title and is not exercising any right or privilege in regard to customary land and that he (or she) is not married to a person holding such a title or exercising such right or privilege.

5. That, when any person whose name is included on the individual voters' roll takes a *matai* title or begins to exercise any right or privilege in regard to customary land or marries a person holding such a title or exercising such right or privilege, that person should be required, under penalty, to inform the Registrar of Electors of such fact within one month and, in the event of an election being held before his (or her) name has been removed from the individual voters' roll should, none the less, be prohibited from voting as an individual voter in such election.

6. That no person who on or after 1 January 1962 takes a *matai* title or begins to exercise any right or privilege in regard to customary land should be eligible to have his (or her) name included or re-included on the individual voters' roll if he (or she) should cease to hold such title or to exercise such right or privilege;

or should be eligible to have his (or her) name included or re-included in like circumstances during the duration of his (or her) marriage to a person holding, or formerly holding, a *matai* title or exercising, or formerly exercising, any right or privilege in regard to customary land;

Provided that a woman whose name was formerly included either on the European roll before Independence Day or on the individual voters' roll established in accordance with this resolution should be eligible, on the death of her husband or on her divorce, to have her name re-included on the individual voters' roll.

(Adopted 26 September 1960.)

*Resolution on the distribution of Minutes and Debates of the Legislative Assembly (see article 54, clause (2))*

The Committee recommends:

That it should be required that the Minutes and the Debates of any session of the Legislative Assembly should be distributed to all Members of Parliament in the Samoan language and, when requested, in the English language, not less than one month before the commencement of the next ensuing session.

(Adopted 27 September 1960.)

*Resolutions relating to part VI of the Constitution*

*Note and resolution on the Jury*

The Working Committee on Self-Government considered the provisions in part VI of the Samoa Act 1921 relating to the use of Assessors in criminal cases heard before the High Court. The Committee also considered the role of the Jury in the judicial systems of New Zealand, the United States and various other countries.

The Committee noted that the actual role of Assessors in the High Court had been developed in various ways so that, in practice, they now exercise most of the responsibilities normally exercised by juries in other countries. The Committee also noted that present practice gave the Assessors an opportunity to raise with the Judge any points which they felt might be relevant to his determination of the penalty, after a verdict of guilty had been reached. The Committee recognized that this was a valuable extension of normal jury functions, which should be retained.

The Committee therefore recommends:

That legislation should be passed to replace the existing provisions in the Samoa Act relating to Assessors and that such legislation should include the following provisions:

1. The term Assessors shall be replaced by the term Jury.

2. The Jury shall consist of four persons, to be increased to six for cases in which the accused is charged with a crime punishable by death or life imprisonment. (If it should later become practicable, these numbers should be increased to six and eight respectively.)

3. A list of "fit and proper persons" eligible to serve as jurors shall be compiled by the Judicial Service Commission; this list shall include only persons who are citizens of Western Samoa.

4. The persons to serve as jurors at a particular hearing shall be settled from the list referred to in clause 3 by the Judge who is to preside at that hearing.

5. Counsel for the defence and for the prosecution shall have a right of challenge in respect of any person

asked to act as a juror; counsel shall show cause for any challenge, and the Judge presiding shall, at his discretion, either accept or reject any such challenge.

6. At the end of the hearing, the Judge presiding shall sum up in open court.

7. The Jury shall consider its verdict in private and no other person shall be present in the jury room. The Jury may, however, seek the assistance of the Judge presiding for the purpose of obtaining an answer to a question relating to any matter on which it is not clear. Such question shall be asked and such answer be given, in open court.

8. The Jury may inform the Judge of its verdict before it is announced in open court. If the verdict is one of guilty, the Jury, or any member of it (provided the other members are present), may then raise with the Judge presiding any points which it, or he, considers relevant to the determination of the penalty. Such discussion shall take place in private, before the verdict is announced in open court.

9. A verdict of guilty shall require the unanimous agreement of the members of the Jury.

10. A Jury shall sit with the Court:

(a) In all criminal trials in which the accused is charged with an offence punishable by death or by imprisonment for more than five years, unless the accused shall have pleaded guilty and this plea shall have been accepted by the Court;

(b) In any other criminal trial where the Court, in its discretion, so decides, either of its own motion or on the application of either the prosecutor or the accused.

(Adopted 30 September 1960.)

*Note and resolution on other judicial and related matters*

The Committee recommends:

1. That the Legislative Assembly pass an Ordinance in 1961, to come into force on Independence Day, to spell out the jurisdiction, procedure, etc., of the Supreme Court of Western Samoa and the Court of Appeal of Western Samoa. This legislation should also:

(1) Deal with other related matters included in parts III, IV and VI of the Samoa Act 1921;

(2) Provide for the making of rules of the Supreme Court and Court of Appeal by the Head of State, acting on the advice of the Prime Minister and with the concurrence of a Rules Committee consisting of the Chief Justice, a Judge of the Supreme Court, a *Fa'amasino Fesoasoani* nominated by the Judicial Service Commission, and at least one local legal practitioner.

2. That the Legislative Assembly pass Ordinances, to come into force before Independence Day, dealing with the following parts of the Samoa Act 1921:

(1) Part V. Criminal Offences.

(2) Part VII. Law of Evidence.

(3) Part VIII. Crown Suits.

(4) Part X. Marriage.

(5) Part XI. Divorce.

(6) Part XII. Persons of Unsound Mind.

3. That Samoan Judges, who should in future be known as *Fa'amasino Fesoasoani*, should at an early date be given security of tenure by provision that:

(1) After having satisfactorily held office for a probationary period, they hold office until the age of sixty-two with the possibility of extensions;

(2) They be removable only by the Head of State, acting on the advice of the Judicial Service Commission established under the Constitution;

(3) Their salaries be determined by the Legislative Assembly, charged on the Treasury Fund, and not diminished during their term of office provided the salaries and allowances of other offices of State whose salaries are similarly determined have not been diminished.

4. That in 1960 or 1961 the description of the Chief Judge should be amended to "Chief Justice" by an amendment to the Samoa Act 1921.

5. That Cabinet should:

(1) Make an early decision in principle that it is prepared to meet the expense involved in establishing a Court of Appeal which would hold sittings in Western Samoa;

(2) Discuss with the New Zealand Government the terms on which suitably qualified persons could be made available from New Zealand to man the Court of Appeal.

6. That, for any session of the Court of Appeal at which an important question relating to the interpretation of the Constitution is to be heard, an effort should be made to obtain the services of a constitutional lawyer as a member of the Court.

[Note: In New Zealand, because the Constitution is largely unwritten, few practising lawyers gain experience in the field of constitutional law. In Australia, on the other hand, because of the written federal Constitution, there are many lawyers with wide experience in cases involving constitutional law. The Committee is of opinion that Australia, as well as New Zealand, should be considered for the purpose of recruiting a constitutional lawyer as a Judge of the Court of Appeal, when the occasion should arise. In either case, suitably experienced members of the law schools of the universities should be considered, as well as practising barristers and members of the judiciary.]

7. That the Government should endeavour to ensure that a full record of proceedings in the High Court is taken in a wider range of cases than is now the position. (Such a record, which should be made freely available to the litigants concerned, will be particularly necessary when a Court of Appeal is established.)

Finally there is one matter on which the Committee wishes to comment more generally than by way of a definite recommendation. Article 75 makes provision for the establishment of subordinate courts by Act (as laws passed by the Legislative Assembly will be known after Independence). The Committee does not believe that it will be necessary to make use of this power for some years. It should be possible for minor offences to be dealt with by Commissioners of the Supreme Court and by *Fa'amasino Fesoasoani*, as at present. The time will come, however, when there is enough work for another legally qualified judicial officer. At that time, the Committee believes, a separate Magistrate's Court should be established with jurisdiction corresponding to that at present exercised by Commissioners of the High Court and Samoan Judges. A Magistrate possessing the qualifications required of a legal practitioner in Western Samoa and at least five years' experience should be appointed to this Court. Provision could also be made for the appointment of part-time and temporary Magistrates with similar legal qualifications. All judicial officers without legal qualifications would then be known as *Fa'amasino Fesoasoani*.

(Adopted 30 September 1960.)

### *Resolutions relating to part VII of the Constitution*

#### *Resolution regarding legislation governing the public service*

The Committee noting that only the basic provisions regarding the public service are included in the Constitution, recommends:

That a general study should be made of New Zealand and Samoan legislation at present governing the public service as a whole or any of its branches with a view to the early preparation of suitable legislation supplementing the basic constitutional provisions, for introduction in the Legislative Assembly.

(Adopted 3 October 1960.)

#### *Resolution regarding "special posts" (see article 87, clause (3) and article 89)*

The Committee recommends:

That in order to ensure the effectiveness of article 87, clause (3), all "special posts" (to which appointment is to be made by the Head of State) should be excluded from the jurisdiction of the Public Service Board of Appeal.

(Adopted 3 October 1960.)

#### *Resolution regarding the Western Samoa Trust Estates Corporation*

The Committee recommends:

That the Board of Directors of the Western Samoa Trust Estates Corporation should be responsible for the appointment, promotion, transfer, termination of appointment, dismissal and disciplinary control of all staff employed by the Corporation:

Provided that the General Manager, the Secretary-Accountant, and the holder of any other office designated by law, shall be appointed, and their terms of appointment be determined, by the Head of State, acting on the advice of the Prime Minister, after the submission of a recommendation by the Board of Directors.

(Adopted 3 October 1960.)

### *Resolutions relating to part IX of the Constitution*

#### *Resolution regarding the holding of matai titles and the pule over customary land (see article 100, article 101, clauses (1) and (2) and article 103)*

The Committee recommends:

1. That only citizens of Western Samoa shall be permitted to hold *matai* titles.

2. (a) That all citizens of Western Samoa who are related to families possessing rights to customary land shall be eligible, in accordance with Samoan custom and usage, to hold *matai* titles and to hold the *pule* over customary land.

(b) That any dispute as to whether the holding of a *matai* title or the *pule* over customary land by any citizen is in accordance with Samoan custom and usage shall be determined, as at present, by the Land and Titles Court.

(Adopted 5 October 1960.)

#### *Note and additional resolution regarding land and titles (see article 102)*

When legislative effect is given to the preceding resolution, and to the resolution on the individual voters'

roll (see resolutions relating to part V above), it will be possible to repeal the whole of the Samoan Status Ordinance 1934 and parts of the Land and Titles Protection Ordinance 1934 (and Amendments). The definitions of "European", "Polynesian", and "Samoan" contained in the Samoa Act 1921 (and Amendments) will not need to be re-enacted in Western Samoa. The former definition of "European" will, however, still have to be referred to, in so far as the former inclusion of a person's name on the European roll is relevant to certain claims for the inclusion of a name on the individual voters' roll. This change will have been made without in any way weakening the protection given to customary land (or "Samoan land", as it is at present known).

The Committee would draw particular attention to one matter in which the protection of customary land will be made more rigid. At present, part I of the Land and Titles Protection Ordinance 1934 permits the alienation of "Samoan land" within the Apia town area, provided the consent of the Council of State is obtained. Article 102 of the Constitution prohibits the alienation of all customary land, so that part I of the Ordinance will become invalid on Independence Day. The Committee does not feel it necessary to recommend the repeal of this part of the Ordinance till a general revision of legislation relating to land and titles is undertaken. It is confident that the Council of State would not permit any such alienation of "Samoan land" in the town area in present circumstances.

The Committee notes that a number of provisions contained in part IX (Land) of the Samoa Act 1921 are not included in part IX (Land and Titles) of the Constitution.

The Committee therefore recommends:

That a study should be made of part IX of the Samoa Act 1921 with a view to determining which provisions contained therein but not covered by part IX of the Constitution should be retained in the law of Western Samoa and should, therefore, be provided for in an Ordinance to be enacted in 1960 or 1961.

(Adopted 5 October 1960.)

#### *Note and resolution regarding rights to mineral deposits*

The Committee also considered the question of rights to minerals. In particular, it noted the provisions of Section 280 of the Samoa Act 1921 under which an alienation of the rights to work minerals on any customary land must be an alienation in favour of the Crown.

The Committee recommends:

1. That legislation should be introduced defining the position of the Independent State of Western Samoa in relation to valuable minerals found anywhere within territorial limits of Samoa.

2. That, in particular, steps should be taken to ensure that the legislation so introduced protects the claims of the State to valuable minerals found on freehold land.

(Adopted 5 October 1960.)

#### *Note and Resolution regarding the leasing of customary land*

The Committee recommends:

That an investigation should be made by a Select Committee of the Legislative Assembly into the various

problems associated with the leasing of customary land and that expert advice should be obtained, probably from overseas, on the legal and economic aspects of this matter.

In particular, the Committee has in mind:

1. The importance of ensuring for the benefit of future generations the full protection of the *pule* over customary land;

2. The need for a redrafting of the present provisions relating to the granting of land for church purposes;

3. The importance of providing conditions which will enable all Samoan planters, whether *matai* or *taule'ale'a*, to make the best use of their lands and to obtain the fullest advantage from modern agricultural methods.

In regard to clause 3 of this resolution, the Committee emphasizes that a continuing improvement in the quality of Samoan agricultural production, as well as an increase in output, is necessary in the interests of the financial stability of the country, the needs of the rapidly increasing population, and the desire of the people for a rising standard of living. The Committee recognizes that such an improvement in quality and expansion of output requires:

1. An assurance to the progressive planter that he will not lose, without good cause, his plantation;

2. The ability to obtain credit, on adequate security, when heavy expenditure for development has to be met over a short period.

The Committee considers that the above conditions could, in many cases, best be provided by the granting of a lease, or occupational licence, to the individual planter. The question of whether provision should be made for such leases is, of course, one for the proposed Select Committee and expert adviser to examine. It would, however, suggest that the following conditions might apply to any such leases:

1. Leases could be granted to either a *matai* or a *taule'ale'a*.

2. Leases could be over a small piece of land, on which it was intended to erect a permanent building (such as a copra drier), or over a larger piece to be developed as a plantation.

3. Leases should be registered by the Minister of Lands, who should not register any lease until:

(a) He had been provided with the written consent of the *matai* holding the *pule* over the land and of the *ali'i* and *faipule* of the village. In a case in which virgin bushland over which no *matai* held the *pule* was to be leased to a *taule'ale'a*, the consent should be obtained of the *matai* to whom the *taule'ale'a* rendered *tautua* and of the *ali'i* and *faipule*.

(b) He had satisfied himself that the granting of such a lease would not endanger the interests of the *aiga* or of the village.

4. Leases should be for a term of years and should be renewable, provided the Minister was satisfied that such renewal would not endanger the interests of the *aiga* and of the village.

5. All applications for leases should state fully the use which was to be made of the land if the application was granted. The terms of the lease should provide that the proposed development should take place within a specified period. If this condition was not complied with, the lease should be cancelled.

6. All leases should define the boundaries of the area leased.

7. The holder of a lease should be able to will it at his death to his widow and to his sons and daughters, or to any of them, but to no other person.

8. The holder of a lease should not have the right to transfer it during his lifetime.

9. A lease should be cancelled by the Minister:

(a) If the holder of the lease failed to render any service ordinarily required of him by Samoan custom (e.g., the rendering of *tautua* by a *taule'ale'a* to his *matai*); or

(b) If the holder of the lease should cease to make effective use of the land for the purpose stated in the lease.

An application for the cancellation of a lease on either of these grounds should be made to the Minister by the *ali'i* and *faipule* of the village or by the *matai* holding the *pule* over the land; and a clear statement of the facts leading to the application should be given. The Minister should satisfy himself as to the truth of the facts so stated before accepting or rejecting the application. If, in regard to any application under subclause (a), the Minister was in any doubt as to whether a service referred to was ordinarily required by Samoan custom he should refer the matter to the Land and Titles Court for a ruling.

10. In any case in which a person considered that the *ali'i* and *faipule* or the *matai* concerned were unreasonably withholding support of his application for a lease, he should have a right of referring the matter to the Land and Titles Court.

The Committee considers that the introduction of such a system of leases would in addition to providing added security of tenure and the opportunity for obtaining credit, serve the following purposes:

1. Reduce the number of cases concerning land referred to the Land and Titles Court;

2. Make it easier to control the extent of any one person's cultivation in the interests of the village as a whole.

(Adopted 6 October 1960.)

## Part II

### RESOLUTIONS ORIGINATING IN THE CONSTITUTIONAL CONVENTION

#### *Resolution relating to the Preamble to the Constitution*

##### *Resolution regarding the pule of the ali'i and faipule*

In conformity with the Preamble to the Constitution, where it is stated that Western Samoa shall be "an Independent State based on Christian principles and Samoan custom and tradition", the Constitutional Convention affirms its conviction that the well-being of the country in the future, as in the past, is dependent upon proper support and protection being given to the *pule* of the *ali'i* and *faipule*. The Convention further believes that the relationship between the central government and the *ali'i* and *faipule* of the districts and villages must be placed upon a formal constitutional basis. It notes that this subject was fully discussed in 1950 by the Commission to Inquire into and Report upon the Organization of District and Village Government with the Hon. *Fautua*, with the *ali'i* and *faipule* of every district and village, and with representatives of government departments; and that following such discussion, detailed recommendations were made. It further notes that although the Legislative Assembly endorsed

the Commission's recommendations in the same year, little has yet been done to give effect to them.

The Convention therefore recommends:

1. That the Legislative Assembly should as soon as possible, study the recommendations of the 1950 Commission and all other relevant evidence.

2. That after such study, legislation should be prepared and enacted to ensure that the authority of the *ali'i* and *faipule* is properly protected in the interests of the well-being of Western Samoa and its people.

(Resolved 25 August 1960.)

#### *Resolution relating to part II of the Constitution*

##### *Resolution regarding capital punishment* (see article 5)

The Convention recommends:

That the Legislative Assembly should consider the question of capital punishment with a view to its abolition or otherwise.

(Resolved 26 August 1960.)

#### *Resolution relating to part IX of the Constitution*

##### *Resolution on foreshore and tidal lands* (see article 104)

The Convention recommends:

1. That a study should be made, possibly by a Commission of Inquiry or a Select Committee of the Legislative Assembly of the existing law relating to foreshore and tidal lands and proposals prepared for the amendment and supplementation of that law.

2. That this study should pay particular attention to:

(a) The best means of protecting the rights of the State in such lands and in regard to their control in the public interest;

(b) Existing rights to customary or freehold tenure in such lands or any other interests therein;

(c) Rights acquired by reclamation and the means whereby such reclamation can be controlled in the public interest;

(d) The effect of erosion upon rights under customary or freehold tenure;

(e) Rights of access to the foreshore;

(f) Rights of fishery and navigation.

3. That, until legislation has been enacted subsequent to the completion of the proposed study the existing legal provisions relating to foreshore and tidal lands should be maintained.

(Resolved 13 October 1960.)

#### *Resolution on the Plebiscite*

The Convention recommends:

That the Hon. Prime Minister inform the General Assembly of the United Nations that Western Samoa wishes only one question to be asked in the Plebiscite, namely—"Do you agree that Western Samoa should be independent or under foreign rule?"

(Resolved 13 October 1960.)

#### *Resolution on the Prime Minister's visit to the United Nations*

The Constitutional Convention wishes to place on record the full confidence which it has in the Prime Minister, Hon. Fiamē M. F. M. II, as the representative of Western Samoa at the General Assembly of the United Nations, and desires to express to him its pleasure that he is undertaking this important journey

and its best wishes for the complete success of his mission.

(Resolved unanimously 21 October 1960.)

#### *Resolution on external relations*

The Constitutional Convention in this, its final meeting:

1. Reaffirms the profound desire of the People of Western Samoa that Western Samoa should become an Independent State and expresses the hope the General Assembly of the United Nations will, in its current session, agree to institute the procedure necessary for the termination of the Trusteeship Agreement.

2. Affirms its belief that in view of its adoption of a Constitution for the Independent State of Western Samoa and of the transfer in October 1959 of the functions of the High Commissioner and Executive Council to the Council of State and Cabinet, no reasonable doubts can be held as to the readiness of Western Samoa for independence.

3. Welcomes the clear and friendly understanding between the Governments of Western Samoa and New Zealand, whereby both Governments agree that the

sovereignty of Western Samoa should be complete and unqualified and that the two countries should continue to work together, on terms agreeable to both Governments.

4. Welcomes the offer of the Government of New Zealand to provide assistance to the Independent State of Western Samoa.

5. Recommends:

(a) That the framework of future co-operation between New Zealand and the Independent State of Western Samoa should be laid down in a Treaty of Friendship between the two sovereign States to be signed after Independence Day;

(b) That, in particular, the Government of the Independent State of Western Samoa should request the Government of New Zealand to afford:

(i) Administrative and technical assistance;

(ii) Assistance in carrying out its external affairs in such a manner as will not detract from the responsibility of the Government of the Independent State of Western Samoa to formulate its own international policy.

(Resolved 28 October 1960.)

## DOCUMENT A/4663

### Report of the Fourth Committee

[Original text: English]  
[16 December 1960]

1. At its 881st meeting, on 1 October 1960, the General Assembly allocated to the Fourth Committee the following item on its agenda:

“44. Question of the future of Western Samoa”.

2. The Trusteeship Council, at its twenty-sixth session, had recommended, by its resolution 2014 (XXVI) of 1 June 1960, that the question of the future of Western Samoa be inscribed as a separate item on the provisional agenda of the fifteenth session of the General Assembly.

3. The Committee had before it the outline of conditions prevailing in the Trust Territory which appears in part II, chapter V, of the report of the Trusteeship Council to the General Assembly covering the period 7 August 1959 to 30 June 1960 (A/4404). A detailed description of the steps taken with regard to the attainment of self-government or independence by the Trust Territory of Western Samoa is contained in paragraphs 201 to 209 of that chapter of the report.

4. The Committee also had before it the Constitution of the Independent State of Western Samoa, as adopted by the Constitutional Convention of Western Samoa on 28 October 1960 (A/C.4/454), which was transmitted to the Secretary-General by the Permanent Representative of New Zealand to the United Nations by *note verbale* of 10 November 1960. Resolutions adopted by the same Constitutional Convention (A/C.4/454/Add.1) were transmitted to the Secretary-General by the Permanent Representative of New Zealand to the United Nations by a *note verbale* of 25 November 1960.

5. At the 1081st meeting, on 9 December 1960, opening statements on this item were made by the representative of New Zealand and by the Prime Minister of Western Samoa, the Hon. Fiamē Mata'afa F. M. II.

6. At the 1083rd and 1085th meetings, on 12 and 13 December 1960 the representative of New Zealand and the Prime Minister of Western Samoa replied to questions which were put to them by members of the Committee and to other points arising out of discussions at the 1083rd to 1085th meetings.

7. At the 1084th meeting, on 13 December 1960, the representative of the United Arab Republic introduced a draft resolution (A/C.4/L.663) co-sponsored by Argentina, the Federation of Malaya, Ghana, India, Iraq, Sudan, the United Arab Republic, and the United Kingdom of Great Britain and Northern Ireland. Greece, Iran and Nigeria subsequently joined the list of sponsors. The text of the draft resolution is set forth in paragraph 11 of the present report.

8. At the 1085th meeting on 13 December 1960, the representative of the Byelorussian Soviet Socialist Republic submitted three oral amendments whereby, firstly, the words “and the resolutions adopted by that Convention,” would be deleted in the second preambular paragraph; secondly, the words “on the basis of that Constitution” would be deleted in question 2 of operative paragraph 2; and thirdly, the words “appointed also by the General Assembly” would be inserted after the word “observers” in operative paragraph 4.

9. At the same meeting, the Fourth Committee voted on the draft resolution (A/C.4/L.663) and the amendments thereto, as follows:

The first Byelorussian oral amendment, calling for the deletion of the words “and the resolutions adopted by the Convention” in the second preambular paragraph was rejected by 31 votes to 26, with 12 abstentions.

The second preambular paragraph as a whole, was adopted by 46 votes to 6, with 13 abstentions.

Question 1 of operative paragraph 2 was adopted by 64 votes to none, with 6 abstentions.

The second Byelorussian oral amendment, calling for the deletion of the words "on the basis of that Constitution" in question 2 of operative paragraph 2 was rejected by a roll-call vote of 35 to 22, with 15 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Ethiopia, Guatemala, Haiti, Hungary, Liberia, Poland, Romania, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

*Against:* Argentina, Australia, Austria, Belgium, Bolivia, Canada, Chile, China, Colombia, Denmark, Federation of Malaya, Finland, France, Ghana, Greece, India, Ireland, Israel, Italy, Japan, Mexico, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Philippines, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Brazil, Central African Republic, Chad, Cyprus, Dahomey, El Salvador, Guinea, Indonesia, Iran, Iraq, Ivory Coast, Paraguay, Somalia, Sudan, United Arab Republic.

The words "Do you agree that on 1 January 1962 Western Samoa should become an independent State..."

in question 2 of operative paragraph 2 were unanimously adopted.

The third Byelorussian oral amendment, calling for the insertion of the words "appointed also by the General Assembly" after the word "observers" in operative paragraph 4 was rejected by 40 votes to 14, with 14 abstentions.

Operative paragraph 3 was unanimously adopted.

The eleven-Power draft resolution as a whole (A/C.4/L.663) was adopted by 59 votes to none, with 11 abstentions.

### **Recommendations of the Fourth Committee**

10. In connexion with operative paragraph 4 of the draft resolution adopted by it, the Committee, at its 1090th meeting on 16 December 1960, decided by acclamation, on a proposal by the representative of Argentina, to recommend the appointment of Mr. Najmuddine Rifai (United Arab Republic) to be the United Nations Plebiscite Commissioner for Western Samoa.

11. The Fourth Committee also recommends to the General Assembly the adoption of the following draft resolution:

*[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", below.]*

## **ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 954th plenary meeting, on 18 December 1960, the General Assembly adopted the draft resolution submitted by the Fourth Committee (A/4663, para. 11). For the final text, see resolution 1569 (XV), below.

At the same meeting, the General Assembly, on the recommendation of the Fourth Committee (A/4663, para. 10), appointed Mr. Najmuddine Rifai (United Arab Republic) United Nations Plebiscite Commissioner for Western Samoa.

### **Resolution adopted by the General Assembly**

1569 (XV). QUESTION OF THE FUTURE OF WESTERN SAMOA

*The General Assembly,*

*Having examined* the report of the Trusteeship Council on the Trust Territory of Western Samoa under New Zealand administration (A/4404, part II, chap. V), as well as the report of the United Nations Visiting Mission to the Trust Territory of Western Samoa, 1959 (T/1449),

*Having taken note* of the Constitution adopted by the Constitutional Convention of Western Samoa on 28 October 1960 and the resolutions adopted by that Convention (A/C.4/454 and Add.1),

*Noting* the statements made in the Fourth Committee by the representative of the Administering Authority and by the Prime Minister of Western Samoa,<sup>3</sup>

1. *Recommends* that the Administering Authority, in pursuance of Article 76 b of the Charter of the United Nations, take steps, in consultation with a United Nations Plebiscite Commissioner, to organize, under the supervision of the United Nations a plebiscite in Western Samoa under New Zealand administration, in order to ascertain the wishes of the inhabitants of the Territory concerning their future;

2. *Recommends further* that the plebiscite should take place in the month of May 1961 and that the questions to be asked should be:

"1. Do you agree with the Constitution adopted by the Constitutional Convention on 28 October 1960?

"2. Do you agree that on 1 January 1962 Western Samoa should become an independent State on the basis of that Constitution?";

3. *Recommends further* that the plebiscite should be conducted on the basis of universal suffrage with all adult citizens of Western Samoa being entitled to vote;

4. *Decides* to appoint a United Nations Plebiscite Commissioner for Western Samoa who shall exercise, on behalf of the General Assembly, all the necessary powers and functions of supervision, and who shall be assisted by observers and staff to be appointed by the Secretary-General in consultation with him;

5. *Requests* the United Nations Plebiscite Commissioner to submit to the Trusteeship Council a report on the organization, conduct and result of the plebiscite;

6. *Requests* the Trusteeship Council to transmit to the General Assembly, for consideration at its sixteenth session, the report of the United Nations Plebiscite Commissioner, together with any recommendations and observations it considers necessary.

*954th plenary meeting,  
18 December 1960.*

<sup>3</sup> See *Official Records of the General Assembly, Fifteenth Session, Fourth Committee*, 1081st meeting.

## CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 44 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4404	Report of the Trusteeship Council (7 August 1959-30 June 1960)	<i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 4</i>
A/C.4/L.663	Question of the future of Western Samoa—Argentina, Federation of Malaya, Ghana, India, Iraq, Sudan, United Arab Republic and United Kingdom of Great Britain and Northern Ireland <sup>4</sup> : draft resolution	Adopted without change. See A/4663, para. 11
A/C.4/L.665	Draft report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1090th meeting, see A/4663.
T/1449	Report of the United Nations Visiting Mission to the Trust Territory of Western Samoa, 1959	<i>Official Records of the Trusteeship Council, Twenty-fourth Session, Supplement No. 2</i>

<sup>4</sup> Greece, Iran and Nigeria subsequently joined the list of sponsors of the draft resolution.



**Agenda item 45: Question of the future of Ruanda-Urundi\*\***

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\* Agenda item 45, addendum, is printed as a separate fascicle and contains only the Interim report of the United Nations Commission for Ruanda-Urundi (A/4706 and Add.1).

\*\* For the records of the meetings at which this item was considered, see *Official Records of the General Assembly, Fifteenth Session, Fourth Committee*, 1065th to 1072nd, 1077th to 1080th, 1086th to 1095th, 1106th to 1108th, 1112th, 1117th to 1127th, 1129th to 1141st and 1153rd meetings; and *ibid.*, *Plenary Meetings*, 960th and 994th meetings.

## PART I OF THE SESSION

### DOCUMENT A/C.4/455

#### Memorandum submitted by the Administering Authority<sup>1</sup>

[Original text: French]  
[17 November 1960]

Under Article 76 b of the Charter, the objectives of the trusteeship over Ruanda-Urundi are to promote the progressive development of the peoples of the Territory towards self-government or independence as may be appropriate to the particular circumstances of the Territory and its peoples and their freely expressed wishes, and as provided by the terms of the Trusteeship Agreement.

In a statement dated 10 November 1959,<sup>2</sup> the Belgian Government announced the political programme which it proposes to put into effect to ensure the attainment of those objectives.

The Trusteeship Council, at its twenty-sixth session, considered the envisaged plan of political reforms. It had before it, for that purpose, the opinions and observations of the Visiting Mission,<sup>3</sup> which had recently travelled throughout the Territory, and whose terms of reference, in accordance with the wishes of the General Assembly (resolution 1419 (XIV) of 5 December 1959), included inquiring into the plans of political reforms for the Trust Territory of Ruanda-Urundi.

After considering the matter, the Trusteeship Council adopted the following conclusions and recommendations (A/4404, p. 85, para. 241):

“Attainment of the objectives of Trusteeship

“The Council welcomes the statement of the Administering Authority that following national elections to be held early in 1961 under United Nations supervision, it intends to hold a meeting with the representatives of the Governments of Ruanda and Urundi, to discuss the further constitutional development of the Trust Territory leading to its independence.

“It notes with satisfaction that the Administering Authority envisages inviting United Nations observers to attend this meeting. The Council requests the Administering Authority to report on the results of this meeting to it during the course of 1961. It hopes

that this meeting will take into account the demand for independence at the earliest date and that the question of the independence of Ruanda-Urundi will be included on the agenda of the sixteenth session of the General Assembly at the latest.

“The Council notes that the nature of the future relationship between Ruanda and Urundi will be discussed at the conferences to be held in 1960 and 1961. Noting the views of both the Administering Authority and the Visiting Mission that this problem should be settled by the representatives of Ruanda and Urundi themselves, it wishes to emphasize and to draw to the attention of the political leaders of Ruanda-Urundi the dangers inherent in extreme particularism and the desirability of working out durable common political institutions and a common destiny. In view of the essential community of interests and the facts of history and geography, the Council is convinced that the best future for Ruanda-Urundi lies in the evolution of a single, united and composite State with such arrangements for the internal autonomy of Ruanda and Urundi as may be agreed upon by their representatives.”

Under the Trusteeship Agreement, it is the duty of the Administering Authority to consult the peoples concerned regarding their wishes and to make provision for the measures to be taken to that end.

Such provision will be made through national elections, based on universal suffrage, which will take place in Ruanda-Urundi beginning on 15 January 1961. Their purpose will be to enable the peoples to elect their legislative assemblies and thus to be in a position to express, through freely chosen representatives, their wishes regarding the constitutional reforms required to complete the realization of the objectives of the trusteeship, which will come to an end with the attainment of those objectives.

In view of the importance of the coming legislative elections, observation by the United Nations appears highly desirable. The Belgian Government accordingly has the honour to invite the General Assembly to send a mission of observation to the Territory. If the General Assembly should accept the invitation, it would seem appropriate, as the elections are scheduled to begin on

<sup>1</sup> Transmitted to the Secretary-General by the Permanent Representative of Belgium to the United Nations by a *note verbale* of 16 November 1960.

<sup>2</sup> See T/1502.

<sup>3</sup> For the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1960, see T/1538.

15 January 1961, that the mission should arrive in Ruanda-Urundi about 15 December 1960, or in any event at a sufficiently early date to be able to see the actual

implementation of the arrangements for the elections such as the composition of the electoral rolls, the course of the election campaign and the organization of the poll.

## DOCUMENT A/C.4/456

### Note by the Secretary-General on the United Nations Economic Mission to Ruanda-Urundi

[Original text: English]

[18 November 1960]

1. At its twenty-sixth session, during its examination of conditions in Ruanda-Urundi, the Trusteeship Council adopted a recommendation in which it noted that a technical assistance mission was being dispatched to Ruanda-Urundi and hoped that both the Administering Authority and the Secretary-General would inform it and the General Assembly of the constitution, activities and the results of such a mission (A/4404, p. 79, para. 178).

2. The terms of reference of the United Nations Economic Mission to Ruanda-Urundi as established in consultation with the Government of Belgium were as follows:

"1. On the request of the Government of Belgium, the Administering Authority for the Trust Territory of Ruanda-Urundi, the Secretary-General of the United Nations has agreed to send to the Trust Territory of Ruanda-Urundi an economic mission, to be known as the United Nations Economic Mission to Ruanda-Urundi.

"2. The Mission is requested to survey the economic and financial resources and needs of the Territory with a view to future United Nations assistance, and is directed, in the fulfilment of its task, to co-operate fully with the Administration of the Trust Territory.

"3. The Mission is authorized to undertake such related tasks and render related assistance as may be required of it by the Administration of the Territory.

"4. The duration of the Mission shall be determined in the light of experience by agreement between the

Government of Belgium and the Secretary-General.

"5. The Mission, while maintaining close co-operation with the Administration of the Trust Territory, shall report on its activities to the Secretary-General who will communicate the reports received to the Government of Belgium".

3. The Mission was composed of the Resident Representative of the United Nations Technical Assistance Board in the United Arab Republic, Mr. Taghi Nasr, as chief of Mission, and two United Nations staff members from Headquarters, from the Department of Economic and Social Affairs and the Department of Trusteeship and Information from Non-Self-Governing Territories.

4. The Mission spent the period 1 July to 13 September 1960 in Ruanda-Urundi. Its report was transmitted to the Belgian Government on 8 November 1960. The report contains recommendations for United Nations technical assistance to Ruanda-Urundi in the years 1961 and 1962 in the fields of public administration, education, agricultural development, economic development programming, community development and mineral development, by the provision of expert advice and fellowships.

5. It is hoped that if this programme is accepted by the Administering Authority, the corresponding requests for technical assistance will be submitted for inclusion in the Technical Assistance Board programmes for 1961 and 1962.

6. The Secretary-General will keep the Trusteeship Council informed of further developments at its next session.

## DOCUMENTS A/C.4/457 AND ADD.1

### Communications concerning Ruanda-Urundi: memorandum by the Secretary General

#### Document A/C.4/457

[Original text: English]

[22 November 1960]

1. Since the close of the twenty-sixth session of the Trusteeship Council, on 30 June 1960, the Secretary-General has received sixty-three communications which raise general problems concerning the Trust Territory of Ruanda-Urundi. In accordance with the relevant rules of the Trusteeship Council's rules of procedure, these communications have been circulated in the following documents:

T/PET.3/123-131;

T/PET.3/L.40-L.45, L.46 and Add.1, L.47-L.53, L.54 and Add.1, L.55-L.70;

T/COM.3/L.39-L.46.

2. The Secretary-General wishes to bring these documents to the attention of the members of the Fourth

Committee in connexion with their consideration of the question of the future of Ruanda-Urundi.

#### Document A/C.4/457/Add.1

[Original text: English]

[13 December 1960]

1. The Secretary-General, in his memorandum of 22 November 1960 (A/C.4/457), brought to the attention of the members of the Fourth Committee sixty-three communications which raised general problems concerning the Trust Territory of Ruanda-Urundi.

2. Since 22 November 1960, the Secretary-General has received ten communications raising general problems concerning Ruanda-Urundi. In accordance with the relevant rules of the Trusteeship Council's rules of procedure, these ten communications have been circulated in the following documents: T/PET.3/L.71-L.79; T/COM.3/L.47.

## DOCUMENT A/C.4/467

## Written statement by Kigeli V, Mwami of Ruanda

[Original text: French]  
[19 December 1960]

I thank you warmly for having given a favourable reception to my request to be heard by the Fourth Committee of the United Nations General Assembly with regard to the political situation in Ruanda-Urundi. This is also an opportunity for me to pay a tribute to the United Nations and the Secretary-General for this mark of solicitude for the Ruandese people, whom I represent. My thanks go also to the Chairman and members of the United Nations Visiting Mission, whose wise recommendations regarding the Trust Territory, had they been followed by the Administering Authority, would have avoided the present disaster in Ruanda and the threatening tension prevailing in Urundi.

My presence at the United Nations is justified by the fact that, in my capacity as Mwami, my first duty is to defend the interests of the people who raised me to this high office. However, I hasten to make it clear that even if I had no other qualification than that of a simple citizen of Ruanda, I would have appeared before this Assembly as a patriot, because I do not think that any well-born Ruandese can remain indifferent to the drama which is now taking place in our country.

In saying that Ruanda is at present undergoing a real human drama, I am not at all exaggerating. "Drama" is indeed the proper term, because thousands of people have been killed; thousands of refugees are wandering about with no shelter, their property having been looted; there are many prisoners, particularly political prisoners; many people, including two of my own brothers, are subject to controlled residence or have been deported to isolated islands; and tens of thousands of unfortunates are in so-called refugee camps, where they are a prey to destitution and disease.

My first impulse was to give you a detailed account of the tragic events which have plunged Ruanda into mourning for a year, of their remote and immediate causes and of their repercussions on the political, social and economic life of the country, but I thought that it would be tedious to repeat what is already contained in the report which I delivered to the United Nations Visiting Mission during its recent stay in Ruanda-Urundi. I will confine myself merely to looking back and pointing out the various preparatory phases of today's tragic situation.

When, on 28 July 1959, I was called upon by popular vote to preside over the destinies of Ruanda, my first concern was to make a solemn declaration in favour of a democratic régime, and specifically of a constitutional monarchy corresponding to the people's aspirations. I then undertook a journey in order to restore calm to the country, which had been disturbed for a moment by the untimely death of the Mwami Mutara III. The enthusiastic welcome which I was everywhere awarded presaged an era of national peace. This, however, was short-lived. Political parties arose, and the Belgian Administration, contrary to what they had asked and obtained of me in the form of a statement that I would remain above party, supported certain political parties. Belgian civil servants took an active part in the creation of political movements, while merciless persecution was launched against other parties.

Meanwhile I was legally invested by the Belgian Government, but an untoward incident very nearly oc-

curred. This concerned taking an oath in accordance with a formula provided for in the Decree of 14 July 1952, a formula which I regarded as out of date because it contained no clause concerning my constitutional status. After discussions which were frequently stormy, I managed to obtain the consent of the Governor of Ruanda-Urundi to the insertion of that clause.

We then began to go through a period of unrest, which was a prelude to the disturbances full of bloodshed which were not long in breaking out. Because of my warnings to the Belgian Administration at Kigali (capital of Ruanda) denouncing their biased policy, and my refusal to join in it, I was systematically opposed by the Belgian civil servants. I informed the Governor of Ruanda-Urundi of this state of affairs and he lulled my anxiety with the hope that a remedy would be found. I insisted that a régime of democratic freedoms should be inaugurated for all the political parties and that, with regard to myself, I should have a body of advisers that would be the precursor of an independent democratic institution. On each occasion, however, my proposals were indefinitely postponed.

In the meantime the November disturbances broke out. Many reports from various sources were submitted to the United Nations Visiting Mission concerning those events so as to assist it in forming an opinion on the disturbances, and hence it is superfluous at this point to review what happened. One fact, however, that I must emphasize is the responsibility which the Trusteeship Administration bears for these disturbances. Its delay in intervening although it had the necessary forces available, the particular zeal with which certain Belgian officials fostered the disturbances and the advantage which the Administration seized to get rid of its political enemies or those who were even suspected of being enemies leave no doubt as to its guilt. That responsibility weighed so heavily that at one time the Administration tried to unload it on to me.

These events were widely publicized by the local and the Belgian Press, and the political leaders backing the Belgian colonial administration accused me of being the instigator of the disturbances. However dishonest it was, this stratagem was none the less clever, for if world opinion, through well-conducted propaganda, could be made to accept that I was responsible for the November disturbances, the Belgian Administration would be cleared.

Everybody in Ruanda knows, however, of the many appeals in which I urged the Administering Authority to take action to restore law and order but which received no response for several days, and of my personal efforts to prevent disaster and of the hundreds of people who owed their lives to the hospitality which I gave them in my residence.

Once the military régime had been imposed on the State, the Trusteeship Administration, having assumed extraordinary powers, proceeded to carry out mass arrests and to issue controlled-residence orders, often with no other charge than the political colour of those concerned. The stand I then took was to express disapproval of those unjust acts and to propose various measures for national reconciliation. My correspondence on that sub-

ject with the Governor of Ruanda-Urundi, the Minister for African Affairs and His Majesty King Baudouin himself, is extremely voluminous: I will make it available to any members of this Assembly who would like to have confirmation of my assertions. My suggestions for reaching a truly national settlement for the restoration of peace, in collaboration with the Belgian Administration, ran up against an impregnable wall of preconceived ideas. I even went beyond the normal limit in my concessions by proposing the formation of a provisional government composed mainly of Belgians, but it was of no avail. The only response took the form of personal harassments which I would not mention if they did not constitute an attack on the institution which I represent; I refer to my arrest for twenty-four hours, when I underwent a close interrogation by Belgian soldiers, the repeated searches of my residence and the seizure of my documents, the sacking of my mother's house and many other acts of that kind.

A special council was set up, appointed by the Belgian Administration, composed of two representatives each of certain political parties of Ruanda. That council was a tool used by the Administration to carry through its programme: to discredit the monarchy, to ensure the monopoly of the pro-Belgian-Administration parties and to give a legal basis to various measures, often inhuman, taken against part of the population.

Thus we come to the United Nations Visiting Mission, whose arrival had been so much desired by the population. The recommendations emanating from what that Mission observed *in situ*, contained a remedy for the political deadlock with which the Trust Territory was faced. But the Administering Authority, which had at first subscribed to those recommendations, ultimately jettisoned them. For example, the communal elections envisaged for the month of June-July and which, following the Visiting Mission's recommendation, were to be postponed to a later date after the round-table conference, were put back to the original dates after the Mission's departure. The round-table conference did not take place and was replaced by talks between the Minister for African Affairs and certain political leaders. Here I must say that the manner in which the Administering Authority evaded the Mission's recommendations, of which the population had already been informed, impaired the prestige of this Organization.

I will not dwell on the communal elections organized by the Belgian Administration in Ruanda in June and July 1960; it is well known that these elections, which were prepared in an atmosphere of unrest and organized under a reinforced military régime, were anti-democratic, to say the least.

I was not allowed to return to Ruanda while the elections were being held there, and I remained at Usumbura. I did everything I could to obtain permission to go to Brussels and make a statement to the Belgian Government on the tragic situation in Ruanda; for I was still under the delusion that my country's plight was merely the unfortunate work of local Belgian officials. The Minister for African Affairs, who had at first agreed in principle to this journey, later discountenanced it, and Mr. Harroy, the Governor, withdrew the passport he had given me.

In the face of this non-co-operation on the part of the Administration, I had no alternative but to appeal to the United Nations. That is how I came to visit the Secretary-General of the United Nations at Leopoldville, against Mr. Harroy's wishes. Mr. Hammarskjöld granted

me an interview and told me that the question of Ruanda-Urundi would be dealt with at the present session of the General Assembly.

While I was at Leopoldville, changes occurred in the Belgian Government and a new Minister received the portfolio of African Affairs. In my steadfast desire to avoid extreme solutions and to co-operate with the Administering Authority, I wrote to congratulate him on his appointment and to inform him of my willingness to work with him in finding a national and equitable solution to the problem of Ruanda. Though this letter remained unanswered, I was assured through other channels of the Minister's good intentions, and I awaited his decision. I was looking forward to meeting him, on his invitation, to discuss the problems of Ruanda, when I learned that on the conclusion of his tour of Ruanda-Urundi he had set up a Provisional Government and had decided that I should remain outside Ruanda until the completion of the forthcoming legislative elections, which would decide the future institutions of the country. This decision scarcely surprised me, accustomed as I was to this sort of attitude on the part of the Belgian Administration.

Before concluding, I should like to mention the baseless accusations often levelled at me by the Belgian Administration and its supporters. They accuse me of being feudal and of being under the thumb of a single party. Nothing could be further from the truth. There is nothing feudal about me, and my democratic proposals speak for themselves in this connexion. It is obvious that I will never support the sort of democracy that Belgium has instituted in Ruanda. Furthermore, the Belgian Administration does not like my programme for the country's early independence, and any coincidence between my programme and that of the nationalist parties does not mean that I am under their thumb.

I should like to add that I am not clinging to power and that I do not seek personal advantage. I proved this by proposing to the Belgian Administration that a referendum should be held on my acceptability under the supervision of the United Nations Mission when it was in Ruanda-Urundi. The Administration turned down my request because it knew very well that I have the majority of the population on my side. I accept and I will always accept the people's verdict; what I cannot accept is that the Belgian Administration should influence or distort this verdict in favour of the parties that are pledged to serve it.

In the light of what I have already said and of the steadily deteriorating situation—areas hitherto free from unrest have recently been sorely tried by the preparations for the installation of the Provisional Government, and thousands of refugees have once more flocked towards Kivu, Uganda and Tanganyika; and in this connexion I wish to thank the Governments of that province and those Territories for their aid to the refugees and also the Secretary-General's Special Representative at Leopoldville for responding to my appeal and sending members of the International Red Cross—in the light of the above, I wish to draw the special attention of the United Nations to the grave problem of these refugees, which can be equitably solved only by their reintegration and compensation for loss of property.

It would appear from the study of the situation in the Trust Territory, and of Ruanda in particular, that the Belgian Administration is no longer able to effect alone the national reconciliation which is the key problem in the peaceful development of the country. It follows from

this that the United Nations ought to assume the responsibility of finding a truly national solution of the Trust Territory's problems. For a solution of this sort to be effective, several preliminary conditions must be met: termination of the military régime, withdrawal of Belgian troops, and their replacement by a national police force trained under United Nations supervision. The United Nations should arrange a round-table meeting of representatives from all the Territory's political parties in order that they may reach agreement on measures for achieving national reconciliation and a programme for Ruanda-Urundi's independence. And a United Nations permanent commission should be appointed and empowered to supervise the implementation of the measures approved by the United Nations in an effort to lead the Trust Territory from political chaos and guide it harmoniously towards independence.

It is likewise important that, among the measures contemplated for achieving national reconciliation, the United Nations request Belgium to provide the necessary safeguards for my return to my country, so that I may offer my co-operation, which I believe would assist the restoration of peace, the establishment of democratic political institutions and social and economic progress.

With regard to this last field, which I have not discussed in this survey, not because I underestimate its importance but because of insufficient data, I can, nevertheless, make a prognostication, which is not very favourable to the policy of isolation imposed on Ruanda-Urundi by the Belgian Government in abolishing, for example, its customs and economic union with the Congo. There

is, however, reason to hope that the United Nations Economic Mission which has just completed a survey in the Trust Territory will propose solutions likely to promote its economy.

I should also like to speak briefly of the nature of the future relations between Ruanda and Urundi: I hope that a close union may be maintained. In this, I endorse completely the Trusteeship Council's recommendation, which I quote: "Noting the views of both the Administering Authority and the Visiting Mission that this problem should be settled by the representatives of Ruanda and Urundi themselves, it [the Council] wishes to emphasize and to draw to the attention of the political leaders of Ruanda-Urundi the dangers inherent in extreme particularism and the desirability of working out durable common political institutions and a common destiny. In view of the essential community of interests and the facts of history and geography, the Council is convinced that the best future for Ruanda-Urundi lies in the evolution of a single, united and composite State with such arrangements for the internal autonomy of Ruanda and Urundi as may be agreed upon by their representatives" [A/4404, p. 85, para. 241]. As part of the role I would have to play in the country, I would offer my collaboration in carrying this recommendation into effect.

I am certain that the United Nations, towards which the eyes of the people of Ruanda-Urundi are turned, will unhesitatingly take the necessary measures to lead the Trust Territory out of its present deadlock and guide it towards independence in order and peace.

## DOCUMENT A/C.5/857

### Financial implications of draft resolution I submitted by the Fourth Committee in document A/4672: note by the Secretary-General

[Original text: English]  
[18 December 1960]

1. The Fourth Committee, at its 1094th meeting on 17 December 1960, adopted a draft resolution (A/4672, para. 26, draft resolution I), according to which the General Assembly would decide to set up a commission for Ruanda-Urundi, composed of representatives of three countries, that would be assisted by observers and staff. The Commission would be requested to proceed immediately to Ruanda-Urundi to supervise the elections to be held in 1961; to attend pre-election and post-election conferences which, for the purpose of estimating costs, it is assumed will be convened in Brussels; to submit an interim report to the General Assembly, at the (resumed) fifteenth session which it is assumed can be done in conjunction with the Commission's visit to the pre-election conference in Brussels; and to follow the progress of events after the election, which it is assumed will require the Commission's presence in the Territory until the sixteenth session of the General Assembly.

2. The estimated costs of the Commission up to the sixteenth session of the General Assembly total \$267,000 made up as follows:

#### I. Subsistence and Travel

##### A. From Headquarters to Ruanda-Urundi to supervise elections:

(i) 3 Commission members from January to June (\$23 a day subsistence) . . . . .	17,000
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US dollars

		US dollars
(ii) 7 Secretariat staff from January to June		
1 Principal Secretary (\$20 a day subsistence) . . . . .	}	34,000
1 Political Affairs Officer (\$17 a day subsistence) . . . . .		
1 Legal Information Officer . . . . .		
1 Administrative Officer . . . . .		
1 Secretary . . . . .		
2 Field Service staff . . . . .		
(iii) 13 Secretariat staff from March to June		
10 Observers (\$17 a day subsistence) . . . . .	}	54,000
1 Administrative Officer . . . . .		
1 Secretary . . . . .		
1 Field Service staff . . . . .		

##### B. From Ruanda-Urundi to Headquarters via Brussels and return to submit an interim report to the General Assembly at its resumed fifteenth session:

(i) 3 Commission members . . . . .	6,000
(ii) 2 Secretariat staff . . . . .	4,000

##### C. From Ruanda-Urundi to Brussels to attend a pre-election conference of political parties (travel assumed to be undertaken in conjunction with the interim report to the General Assembly at the resumed fifteenth session

(see item B above)

	US dollars		US dollars
D. From Ruanda-Urundi to Brussels to attend a round-table conference after the elections:		D. Local commercial travel and liaison travel to and from Headquarters . . .	4,000
(i) 3 Commission members . . .	4,000		
(ii) 2 Secretariat staff . . .	2,000	Sub-total	83,000
E. Subsistence in the Territory while following the progress of events after the election from July to September:			
(i) 3 Commission members . . .	6,000	III. <i>Replacement of staff seconded to the Commission</i>	
(ii) 7 Secretariat staff . . .	11,000	which has become essential in view of the extraordinary demands placed on the Secretariat in connexion with the plebiscites in the Cameroons, the plebiscite in Western Samoa, the United Nations activities in the Congo and elsewhere:	
F. Subsistence at Headquarters for ten days while reporting to the General Assembly at the sixteenth session . . .	1,000	(i) Field Service staff at level FS-3 for a total of twenty-four months at \$340 . . . . .	8,000
Sub-total	139,000	(ii) Secretaries at level G-3 for a total of fifteen months at \$325 . . . . .	4,900
II. <i>Supplies and Services</i>		(iii) Administrative officers at level P-3 for a total of fifteen months at \$715 . . . . .	10,700
A. The rental of 4 sedans for the members of the Commission and the Principal Secretary and 13 Volkswagens for the Secretariat, with an increase to 19 during the period the observers are in the field, including the costs of operation, insurance and chauffeurs . . . . .	55,000	(iv) Observers at level P-3 for a total of thirty months at \$715 . . . . .	21,400
B. Communications, including cables, weekly pouch service to Headquarters and air freight of documents . . . . .	7,000	Sub-total	45,000
C. Other supplies and services including rental of offices, employment of local interpreters, translators and messengers, stationery, clothing allowance of staff, medical supplies, etc. . . . .	17,000	GRAND TOTAL	267,000

3. If the draft resolution is adopted by the General Assembly, it is the Secretary-General's intention to request a supplementary appropriation under section 18—Special missions—of the 1961 budget.

## DOCUMENT A/4672

### Report of the Fourth Committee

[Original text: English]  
[19 December 1960]

1. At its 881st plenary meeting, on 1 October 1960, the General Assembly allocated to the Fourth Committee the following item on its agenda:

"45. Question of the future of Ruanda-Urundi".

2. The Trusteeship Council, at its twenty-sixth session, had recommended, by its resolution 2018 (XXVI) of 30 June 1960, that the question of the future of Ruanda-Urundi be inscribed as a separate item on the provisional agenda of the fifteenth session of the General Assembly.

3. At its 1004th, 1008th, 1010th, 1022nd, 1027th, 1058th, 1060th, 1062nd, 1064th, 1066th, 1078th, 1091st and 1092nd meetings, held on 6, 13, 14, 25, 28 October, 21, 22, 23, 25, 29 November, 7, 16 and 17 December 1960, the Committee considered and granted requests, without objections, for hearings submitted by twenty-three petitioners (A/C.4/444 and Add.1-12).

4. The Committee had before it an outline of conditions prevailing in the Trust Territory which appears in part II, chapter II of the report of the Trusteeship Council to the General Assembly covering the period 7 August 1959 to 30 June 1960 (A/4404). It also had for its consideration the report on Ruanda-Urundi (T/1538) of the United Nations Visiting Mission to Trust Territories in East Africa, 1960.

5. Other documents before the Committee in connexion with this item included a memorandum (A/C.4/455) by the Administering Authority transmitted to the Secretary-General by the Permanent Representative of

Belgium to the United Nations by a *note verbale* of 16 November 1960, a note by the Secretary-General (A/C.4/456) on the United Nations Economic Mission to Ruanda-Urundi, and memoranda by the Secretary-General (A/C.4/457 and Add.1) on communications concerning Ruanda-Urundi.

6. At the 1065th meeting, on 25 November 1960, in accordance with a decision which it had taken at its 1056th meeting, the Committee began consideration of this item with an opening statement made by the representative of Belgium. This statement was subsequently circulated to the members of the Committee as document A/C.4/460.

7. At the same meeting, the Committee began the hearing of petitioners with a statement made by Mr. Michel Rwagasana on behalf of the Union nationale ruandaïse (UNAR). Mr. Anastase Makuza, on behalf of the Parti du mouvement de l'émancipation hutu (PARMEHUTU), Mr. Aloys Munyangaju, on behalf of the Association pour la promotion sociale de la masse (APROSOMA) and Mr. Alexandre Ruteru addressed the Committee at the 1066th meeting; Mr. Pascal Mbuziyonja and Mr. Joseph Biroli, on behalf of the Front commun, Mr. Cosmos Rebero, Mr. Michel Kayihura and Mr. Joseph Rutsindintwarane, on behalf of UNAR and Mr. Prosper Bwanakweri on behalf of the Rassemblement démocratique ruandaïse (RADER) addressed the Committee at the 1067th meeting. At the 1092nd meeting, on 17 December 1960, Mr. Léon Christian Mushatsi-Kareba, on behalf of the Unité et

progrès national (UPRONA) addressed the Committee and Mr. Rwagasana, Mr. Munyangaju and Mr. Makuza made second statements.

8. At the 1068th meeting, on 30 November 1960, the Committee decided without objection to circulate the written text (A/C.4/467) of the statement of Mwami Kigeli V, who was unable to appear before the Committee.

9. The above-mentioned petitioners who addressed the Committee were joined by Mr. Lazare Mpakaniye of PARMEHUTU, Mr. Pierre Burarambe and Mr. Jean Birihaanyuna of the Front commun, Mr. Barnabas Nkikababizi of UNAR, and Mr. Apollinaire Siniremera of UPRONA in replying to questions put to them by members of the Committee at the 1067th to 1072nd and 1092nd meetings.

10. At the 1077th, 1078th and 1092nd meetings, on 7 and 17 December 1960, the representative of Belgium replied to questions put to him by members of the Committee.

11. The general debate took place at the 1079th, 1080th and 1086th to 1093rd meetings, the Committee having suspended its consideration on this item for five meetings.

12. During its subsequent consideration of the item, the Committee had before it statements made by the representatives of Belgium at the 1077th meeting (A/C.4/462) and of Haiti at the 1086th meeting (A/C.4/464), as well as a telegram from Kisenyi, dated 13 December 1960, sent by the representative of the Minister for African Affairs, quoted by the representative of Belgium at the 1091st meeting (A/C.4/466).

13. The Committee considered draft resolutions concurrently with the general debate on the item in relation to firstly, the question of the future of Ruanda-Urundi and secondly, the question of the Mwami.

#### I. QUESTION OF THE FUTURE OF RUANDA-URUNDI

14. At the 1086th meeting, Bolivia, Burma, Ethiopia, the Federation of Malaya, Ghana, Guinea, India, Indonesia, Iraq, Liberia, Morocco, Nepal, Nigeria, Somalia, Sudan, Togo, Tunisia, the United Arab Republic and Yugoslavia submitted a joint draft resolution (A/C.4/L.664 and Corr.1), which was later jointly sponsored also by Afghanistan, Ecuador, El Salvador, Jordan and Lebanon (A/C.4/L.664/Add.1) and subsequently by Niger and Upper Volta (1091st meeting). The operative part of the draft resolution read as follows:

*"The General Assembly,*

*"...*

*"1. Considers that the necessary conditions and atmosphere must be brought about expeditiously to ensure that the legislative elections, which will lead to the establishment of national democratic institutions and furnish the basis for the national independence of Ruanda-Urundi in accordance with the principles and purposes of the Charter, take place in an atmosphere of peace and harmony;*

*"2. Urges the Administering Authority to implement immediately measures of full and unconditional amnesty, and abolish the emergency régime to enable political workers and leaders who are in exile or imprisoned in the Territory to resume normal, democratic, political activity before the elections;*

*habilitation of thousands of victims of recent distur-*

*bances in Ruanda who were compelled to take refuge away from their homes in Ruanda or abroad will assist the process of reconciliation, and urges the Administering Authority and the local authorities concerned to adopt all possible means to that end;*

*"4. Recommends that a conference fully representative of political parties, attended by United Nations observers, should be held before the elections early in 1961 in order to remove their differences and to bring about national harmony;*

*"5. Appeals to all parties and political leaders of Ruanda-Urundi to exert their efforts to achieve an atmosphere of understanding, peace and harmony for the good of their Territory and people as a whole on the eve of independence;*

*"6. Calls upon the Administering Authority to refrain from using the Territory as a base, whether for internal or external purposes, for the accumulation of arms or armed forces not strictly required for the purpose of maintaining public order in the Territory;*

*"7. Recommends that the elections scheduled to be held in January 1961 should be postponed till May-June 1961 so that, in addition to the fulfilment of the purposes of the preceding paragraphs of this resolution, the arrangements for the elections can be completed under the supervision of the United Nations;*

*"8. Decides to set up a United Nations Commission for Ruanda-Urundi composed of the representatives of (five countries to be elected by the Assembly) who will be assisted by observers and staff to be appointed by the Secretary-General in consultation with it;*

*"9. Requests the Commission to proceed, immediately, to Ruanda-Urundi to perform the following tasks on behalf of the United Nations:*

*"(a) To supervise the elections to be held in May-June 1961 on the basis of direct, universal adult suffrage, and the preparatory measures preceding them, such as compilation of the electoral rolls, the conduct of the election campaign, and the organization of a system of balloting which will ensure complete secrecy;*

*"(b) To attend, as United Nations observers, the political conference envisaged in paragraph 4 above, and the round-table conference to be convened after the elections to determine the future evolution of the Territory towards independence;*

*"(c) To follow the progress of events in the Territory, before and after the elections, to lend its advice and assistance, as appropriate, with a view to advancing peace and harmony in Ruanda-Urundi, and to report to the Trusteeship Council or the General Assembly, as necessary;*

*"10. Requests the Commission to submit an interim report on the implementation of this resolution at the Assembly's resumed fifteenth session;*

*"11. Endorses the observation of the Trusteeship Council that in view of the essential community of interests and the facts of history and geography the best future for Ruanda-Urundi lies in the evolution of a single, united and composite State with such arrangements for the internal autonomy of Ruanda and Urundi as may be agreed upon by their representatives, and commends it to the consideration of all those concerned with the future of Ruanda-Urundi."*

15. At the 1093rd meeting, Pakistan submitted amendments (A/C.4/L.669) to the 26-Power draft resolution

whereby (a) operative paragraph 3 would be changed to read as follows:

"3. *Urges* the Administering Authority and the local authorities concerned to adopt all possible means to effect the expeditious return and rehabilitation of the refugees who had to leave their homes as a result of the disturbances in Ruanda in 1959, in order to assist the process of reconciliation and also to enable the refugees to take part in the forthcoming legislative elections";

(b) in operative paragraph 4 and operative paragraph 9, sub-paragraph (b), the words "United Nations observers" would be replaced by the words "a United Nations mediator"; and (c) in operative paragraph 8, the words "the representatives of (five countries to be elected by the Assembly)" would be replaced by the words "one representative to be elected by the Assembly".

16. At the same meeting, the representative of India, on behalf of the co-sponsors, submitted a revised text to the 26-Power draft resolution (A/C.4/L.664/Rev.1) whereby (a) in operative paragraph 1 of the French text the words "*régionales et*" would be deleted; (b) in operative paragraph 3 of the French text the word "*réhabilitation*" would be deleted and the words "*réadaptation à une vie nouvelle*" inserted instead; (c) in operative paragraph 4 the word "remove" after the words "in order to" would be changed to "compose"; (d) in operative paragraph 7, the words "till May-June 1961" would be deleted and the words "to a date to be decided at the resumed fifteenth session in the light of the recommendations of the United Nations Commission referred to in the following paragraph" inserted in their place; (e) in operative paragraph 8, the words "the representatives of (five countries to be elected by the Assembly)" would be deleted and the words "three members" inserted in their place; and (f) in operative paragraph 9, sub-paragraph (a), the words "May-June" would be deleted and the words "Ruanda-Urundi in" would be inserted in their place. In view of these amendments, the representative of Pakistan withdrew his amendments (A/C.4/L.669) to the draft resolution.

17. At the 1094th meeting, Argentina, Canada, Denmark, Mexico, New Zealand and Sweden submitted amendments to the 26-Power draft resolution (A/C.4/L.664/Rev.1) which read as follows (A/C.4/L.670):

"1. In operative paragraph 2, insert after 'immediately' the words 'wide and effective', and delete the words 'full and unconditional'.

"2. Insert a new operative paragraph 5, reading as follows:

"*Recommends* that this conference should consider, among other things, the question of the Mwami, Kigeli V, and the proposal that there should be held in Ruanda, under the supervision of the United Nations, a referendum concerning the institution of the Mwami and, if necessary, the present Mwami of Ruanda'.

"3. In operative paragraph 7 (now 8), replace the words from 'at the resumed fifteenth session' to 'Commission' by the words 'by the conference mentioned above in consultation with the United Nations Commission'.

"4. In operative paragraph 8 (now 9), for the words 'set up' substitute the word 'send' and for the word 'for' substitute the word 'to'.

"5. In operative paragraph 9 (now 10), sub-paragraph (c), for the words 'to lend its advice and

assistance, as appropriate' substitute the words 'to consider, in consultation with the Administering Authority and the local elected bodies in the Territory, what advice and assistance it could appropriately lend'.

"6. In operative paragraph 10 (now 11), after the word 'Commission' insert the words 'to report to the 1961 summer session of the Trusteeship Council and'."

18. At the same meeting, the Chairman called attention to the modification to the statement of financial implications (A/C.4/L.667) made necessary by the revised text of the draft resolution contained in document A/C.4/L.664/Rev.1 (see the report of the Fifth Committee, document A/4673).

19. The Committee, at this meeting, then proceeded to vote on the revised draft resolution (A/C.4/L.664/Rev.1) and the amendments thereto (A/C.4/L.670) as follows:

The first six-Power amendment (A/C.4/L.670, para. 1) was rejected by a roll-call vote of 40 votes to 27, with 5 abstentions. The voting was as follows:

*In favour:* Argentina, Australia, Austria, Belgium, Canada, China, Colombia, Denmark, Dominican Republic, Finland, France, Greece, Israel, Italy, Japan, Mexico, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* Afghanistan, Albania, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chad, Cuba, Cyprus, Czechoslovakia, Ecuador, Federation of Malaya, Ghana, Guatemala, Guinea, Hungary, India, Iraq, Liberia, Libya, Morocco, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yugoslavia.

*Abstaining:* Brazil, Chile, Haiti, Iran, Paraguay.

The second six-Power amendment (A/C.4/L.670, para. 2) was rejected by a roll-call vote of 33 votes to 30, with 9 abstentions. The voting was as follows:

*In favour:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Denmark, Dominican Republic, Finland, France, Greece, Israel, Italy, Japan, Mexico, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Czechoslovakia, Ecuador, Federation of Malaya, Guinea, Hungary, India, Iraq, Liberia, Libya, Morocco, Niger, Nigeria, Pakistan, Paraguay, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yugoslavia.

*Abstaining:* Ceylon, Cuba, Cyprus, Ghana, Guatemala, Haiti, Iran, Uruguay, Venezuela.

The third six-Power amendment (A/C.4/L.670, para. 3) was rejected by a roll-call vote of 42 votes to 26, with 4 abstentions. The voting was as follows:

*In favour:* Argentina, Australia, Austria, Belgium, Canada, China, Colombia, Denmark, Dominican Republic, Finland, France, Greece, Italy, Japan, Mexico, Netherlands, New Zealand, Norway, Portugal, Spain,

Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* Afghanistan, Albania, Bolivia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chad, Cuba, Cyprus, Czechoslovakia, Ecuador, Federation of Malaya, Ghana, Guatemala, Guinea, Hungary, India, Iran, Iraq, Liberia, Libya, Morocco, Niger, Nigeria, Pakistan, Paraguay, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yugoslavia.

*Abstaining:* Brazil, Chile, Haiti, Israel.

The fourth six-Power amendment (A/C.4/L.670, para. 4) was rejected by 35 votes to 28, with 7 abstentions.

The fifth six-Power amendment (A/C.4/L.670, para. 5) was rejected by a roll-call vote of 44 votes to 26, with 2 abstentions. The voting was as follows:

*In favour:* Argentina, Australia, Austria, Belgium, Canada, China, Denmark, Dominican Republic, Finland, France, Greece, Israel, Italy, Japan, Mexico, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* Afghanistan, Albania, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chad, Colombia, Cuba, Cyprus, Czechoslovakia, Ecuador, Federation of Malaya, Ghana, Guatemala, Guinea, Hungary, India, Iran, Iraq, Liberia, Libya, Morocco, Niger, Nigeria, Pakistan, Paraguay, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yugoslavia.

*Abstaining:* Chile, Haiti.

The sixth six-Power amendment (A/C.4/L.670, para. 6) was rejected by 37 votes to 27, with 6 abstentions.

A motion to take a separate vote on operative paragraph 6 of the revised draft resolution (A/C.4/L.664/Rev.1), put forward by the representative of Paraguay and objected to by the representative of Guinea under rule 130 of the rules of procedure, was rejected by 28 votes to 17, with 18 abstentions.

The revised draft resolution (A/C.4/L.664/Rev.1) was adopted by a roll-call vote of 47 votes to 8, with 17 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chad, Cuba, Cyprus, Czechoslovakia, Ecuador, Federation of Malaya, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Iran, Iraq, Israel, Liberia, Libya, Morocco, Niger, Nigeria, Pakistan, Paraguay, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Thailand, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yugoslavia.

*Against:* Australia, Belgium, France, Netherlands, Portugal, Spain, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

*Abstaining:* Argentina, Austria, Canada, Chile, China, Colombia, Denmark, Dominican Republic, Finland,

Italy, Japan, Mexico, New Zealand, Norway, Sweden, Turkey, United States of America.

20. The text of the draft resolution is set forth in paragraph 26 of the present report as draft resolution I.

## II. THE QUESTION OF THE MWAMI

21. At the 1088th meeting, Burma, Libya, Liberia, Morocco, Nigeria, Senegal, Somalia, the Sudan, Togo and Tunisia submitted a draft resolution (A/C.4/L.666), which read as follows:

*"The General Assembly,*

*"Considering that a division of opinion has arisen in Ruanda-Urundi with regard to the institution of monarchy and with regard to the person of the present Mwami of Ruanda,*

*"Considering further that such a situation poses a constitutional question of far-reaching importance which should be settled in accordance with the freely expressed wishes of the people of the Territory,*

*"Noting that the Mwami of Ruanda in a memorandum to the Visiting Mission has accepted the idea of a referendum to decide this question,*

*"Having perused the statement of the Mwami to the Fourth Committee of the Assembly,*

*"1. Notes with regret that the Administering Authority has arbitrarily suspended the powers of the Mwami of Ruanda and has not allowed him to return to Ruanda in his capacity as a constitutional monarch;*

*"2. Requests the Administering Authority to revoke the measures adopted by it to suspend the powers of the Mwami and to facilitate his return to Ruanda to enable him to function as a constitutional monarch pending the ascertainment of the wishes of the people on this question;*

*"3. Decides that a referendum under the supervision of the United Nations Commission established under resolution (XV) should be held to ascertain the wishes of the people concerning the institution of the Mwami, and, if necessary, the present Mwami of Ruanda;*

*"4. Requests the Commission established under resolution (XV) to submit, after studying the situation on the spot, its recommendations to the Assembly at its resumed fifteenth session concerning the timing of the referendum and the questions to be put thereat."*

22. At the 1092nd meeting, the representative of Burma on behalf of the co-sponsors submitted a revised text (A/C.4/L.666/Rev.1) to this draft resolution whereby, (a) a new paragraph would be inserted after the second preambular paragraph to read: *"Noting that on several occasions the Mwami has stated his desire to be a democratic and constitutional sovereign,"*; (b) the word *"further"* would be inserted in the former third, now fourth, preambular paragraph after the word *"Noting"*; (c) in operative paragraph 1 the words *"in his capacity as a constitutional monarch"* would be replaced by the words *"to resume his duties as the Mwami"*; and (d) in operative paragraph 2 the words *"a constitutional monarch"* would be replaced by the word *"Mwami"*.

23. At the 1094th meeting, the Committee voted on the draft resolution contained in document A/C.4/L.666/Rev.1 and the representative of Paraguay moved that parts of it should be put to the vote separately. The representative of Guinea objected to the motion under rule

130 of the rules of procedure, whereupon the representative of Paraguay stated that, in order not to prolong the debate, he would withdraw his motion. The representative of Mexico, however, took up the motion that parts of the draft resolution should be put to the vote separately, and the representative of Guinea again objected to the motion. The motion was accordingly put to the vote under rule 130 of the rules of procedure.

24. The voting on the motion for division and the revised draft resolution was as follows:

The motion for division presented by the representative of Mexico was adopted by 34 votes to 28, with 4 abstentions.

The preamble of the revised draft resolution (A/C.4/L.666/Rev.1) was adopted by a roll-call vote of 53 votes to 1, with 18 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Chad, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Dominican Republic, Ecuador, Federation of Malaya, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Iran, Iraq, Israel, Japan, Liberia, Libya, Mexico, Morocco, Niger, Nigeria, Pakistan, Paraguay, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Venezuela, Yugoslavia.

*Against:* Central African Republic.

*Abstaining:* Australia, Austria, Belgium, Canada, Denmark, Finland, France, Greece, Italy, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Operative paragraphs 1 and 2 were adopted by a roll-call vote of 35 votes to 26, with 11 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chad, Cuba, Cyprus, Czechoslovakia, Ecuador, Federation of Malaya, Guinea, Hungary, India, Iraq, Liberia, Libya, Morocco, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yugoslavia.

*Against:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, China, Denmark, Finland, France, Greece, Italy, Japan, Mexico, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Chile, Colombia, Dominican Republic, Ghana, Guatemala, Haiti, Iran, Israel, Paraguay, Uruguay, Venezuela.

Operative paragraphs 3 and 4 were adopted by 49 votes to 14, with 8 abstentions.

The revised draft resolution (A/C.4/L.666/Rev.1) was adopted by a roll-call vote of 38 votes to 18, with 16 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Central African Republic, Ceylon, Chad, Cuba, Cyprus, Czechoslovakia, Ecuador, Federation of Malaya, Ghana, Guinea, Hungary, India, Iran, Iraq, Liberia, Libya, Morocco, Niger, Nigeria, Pakistan, Philippines, Poland, Romania, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Uruguay, Yugoslavia.

*Against:* Australia, Austria, Belgium, Canada, Denmark, Finland, France, Italy, Japan, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Argentina, Bolivia, Brazil, Chile, China, Colombia, Dominican Republic, Greece, Guatemala, Haiti, Israel, Mexico, Paraguay, Thailand, Turkey, Venezuela.

#### **Recommendations of the Fourth Committee**

25. In connexion with operative paragraph 8 of draft resolution I set out in paragraph 26 below, the Committee, at its 1095th meeting, on 19 December 1960, decided, on a proposal of the representative of Venezuela, to recommend to the General Assembly the appointment of Mr. Max Dorsinville (Haiti) as Chairman, Mr. Majid Rahnema (Iran) and Mr. Ernest Gassou (Togo) to be members of the United Nations Commission for Ruanda-Urundi. The representative of Belgium stated that he would not participate in the decision of the Fourth Committee in this recommendation.

26. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolutions:

##### *Draft resolution I*

##### QUESTION OF THE FUTURE OF RUANDA-URUNDI

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", page 12 below.]

##### *Draft resolution II*

##### QUESTION OF THE MWAMI

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly", page 12 below.]

### **DOCUMENT A/4673**

#### **Financial implications of draft resolution I submitted by the Fourth Committee in document A/4672: report of the Fifth Committee**

[Original text: English]  
[20 December 1960]

1. Under the provisions of rule 154 of the rules of procedure of the General Assembly, and on the basis of a report by the Secretary-General (A/C.5/857) and an oral report of the Chairman of the Advisory Committee on Administrative and Budgetary Questions, the Fifth Committee, at its 823rd meeting on 19 December

1960, considered the financial implications of draft resolution I recommended by the Fourth Committee in its report (A/4672, para. 26).

2. The Fifth Committee decided, without objection, to inform the General Assembly that the adoption of the draft resolution recommended by the Fourth Committee would give rise to an expenditure in 1961 of the order of \$240,000.

### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 960th plenary meeting, on 20 December 1960, the General Assembly adopted draft resolutions I and II submitted by the Fourth Committee (A/4672, para. 26). For the final text, see resolutions 1579 (XV) and 1580 (XV), respectively, below.

At the same meeting, the General Assembly, on the recommendation of the Fourth Committee (A/4672, para. 25), appointed the members of the United Nations Commission for Ruanda-Urundi. The Commission is composed as follows: Mr. Max Dorsinville (Haiti), Chairman, Mr. Majid Rahnema (Iran) and Mr. Ernest Gassou (Togo).

### Resolutions adopted by the General Assembly

#### 1579 (XV). QUESTION OF THE FUTURE OF RUANDA-URUNDI

*The General Assembly,*

*Having received* the reports of the Trusteeship Council (A/4404) and of the United Nations Visiting Mission to Trust Territories in East Africa, 1960 (T/538), on the Trust Territory of Ruanda-Urundi called for under General Assembly resolution 1419 (XIV) of 5 December 1959,

*Noting* from the report of the Trusteeship Council that it is the Administering Authority's intention to hold early in 1961 elections on the basis of universal adult suffrage, and under the supervision of the United Nations, for the purpose of constituting national assemblies for Ruanda and Urundi,

*Noting further* the statement of the Administering Authority that the elections are scheduled to begin on 15 January 1961, and its invitation to the United Nations to send a mission to Ruanda-Urundi about 15 December 1960 to see the actual implementation of the arrangements for the elections, such as the composition of the electoral rolls, the course of the election campaign and the organization of the poll,<sup>4</sup>

*Being conscious* of its responsibility to ensure that the supervision of the elections by the United Nations is effective, and that the elections, which will furnish the basis for the Territory's independence, are held in proper conditions so that their results are completely free of doubt or dispute,

*Having heard* the views of the petitioners belonging to various political parties and groups of Ruanda-Urundi,

1. *Considers* that the necessary conditions and atmosphere must be brought about expeditiously to ensure that the legislative elections, which will lead to the establishment of national democratic institutions and furnish the basis for the national independence of Ruanda-Urundi in accordance with the principles and purposes of the Charter of the United Nations, take place in an atmosphere of peace and harmony;

2. *Urges* the Administering Authority to implement immediately measures of full and unconditional amnesty and to abolish the emergency régime so as to enable political workers and leaders who are in exile or imprisoned in the Territory to resume normal, democratic political activity before the elections;

3. *Considers* that the expeditious return and rehabilitation of thousands of victims of recent disturbances in Ruanda who were compelled to take refuge away from their homes in Ruanda or abroad will assist the process of reconciliation, and urges the Administering Authority and the local authorities concerned to adopt all possible means to that end;

4. *Recommends* that a conference fully representative of political parties, attended by United Nations observers, should be held early in 1961, before the elections, in order to compose the differences between the parties and to bring about national harmony;

5. *Appeals* to all parties and political leaders of Ruanda-Urundi to exert their efforts to achieve an atmosphere of understanding, peace and harmony for the good of their Territory and people as a whole on the eve of independence;

6. *Calls upon* the Administering Authority to refrain from using the Territory as a base, whether for internal or external purposes, for the accumulation of arms or armed forces not strictly required for the purpose of maintaining public order in the Territory;

7. *Recommends* that the elections scheduled to be held in January 1961 should be postponed to a date to be decided on at the resumed fifteenth session of the General Assembly in the light of the recommendations of the Commission referred to in paragraph 8 below, so that, in addition to the fulfilment of the purposes of the preceding paragraphs of the present resolution, the arrangements for the elections can be completed under the supervision of the United Nations;

8. *Decides* to set up a United Nations Commission for Ruanda-Urundi, composed of three members, who will be assisted by observers and staff to be appointed by the Secretary-General in consultation with the Commission;

9. *Requests* the Commission to proceed immediately to Ruanda-Urundi to perform the following tasks on behalf of the United Nations:

(a) To supervise the elections to be held in Ruanda-Urundi in 1961 on the basis of direct, universal adult suffrage, and the preparatory measures preceding them, such as the compilation of the electoral rolls, the conduct of the election campaign and the organization of a system of balloting which will ensure complete secrecy;

(b) To attend, as United Nations observers, the political conference envisaged in paragraph 4 above and the round-table conference to be convened after the

<sup>4</sup> See A/C.4/455.

elections to determine the future evolution of the Territory towards independence;

(c) To follow the progress of events in the Territory before and after the elections, to lend its advice and assistance, as appropriate, with a view to advancing peace and harmony in Ruanda-Urundi, and to report to the Trusteeship Council or the General Assembly, as necessary;

10. *Requests* the Commission to submit an interim report on the implementation of the present resolution to the General Assembly at its resumed fifteenth session;

11. *Endorses* the observation of the Trusteeship Council that, in view of the essential community of interests and the facts of history and geography, the best future for Ruanda-Urundi lies in the evolution of a single, united and composite State, with such arrangements for the internal autonomy of Ruanda and Urundi as may be agreed upon by their representatives.

*960th plenary meeting,  
20 December 1960.*

#### 1580 (XV). QUESTION OF THE MWAMI

*The General Assembly,*

*Considering* that a division of opinion has arisen in Ruanda-Urundi with regard to the institution of monarchy and with regard to the person of the present Mwami of Ruanda,

*Considering further* that such a situation poses a constitutional question of far-reaching importance which should be settled in accordance with the freely expressed wishes of the people of the Territory,

*Noting* that, on several occasions, the Mwami has stated his desire to be a democratic and constitutional sovereign,

*Noting further* that the Mwami of Ruanda, in a memorandum to the United Nations Visiting Mission to Trust Territories in East Africa, 1960, has accepted the idea of a referendum to decide this question,

*Having perused* the statement of the Mwami to the Fourth Committee (A/C.4/467),

1. *Notes with regret* that the Administering Authority has arbitrarily suspended the powers of the Mwami of Ruanda and has not allowed him to return to Ruanda to resume his duties as Mwami;

2. *Requests* the Administering Authority to revoke the measures adopted by it to suspend the powers of the Mwami, and to facilitate his return to Ruanda to enable him to function as Mwami pending the ascertainment of the wishes of the people on this question;

3. *Decides* that a referendum should be held under the supervision of the United Nations Commission for Ruanda-Urundi established under General Assembly resolution 1579 (XV) of 20 December 1960, in order to ascertain the wishes of the people concerning the institution of the Mwami, and, if necessary, the present Mwami of Ruanda;

4. *Requests* the United Nations Commission for Ruanda-Urundi, after studying the situation on the spot, to submit to the General Assembly, at its resumed fifteenth session, recommendations concerning the timing of the referendum and the questions to be put therein.

*960th plenary meeting,  
20 December 1960.*

## PART II OF THE SESSION

### DOCUMENT A/4689

#### Letter dated 24 January 1961 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the President of the General Assembly

*[Original text: Russian]  
[28 January 1961]*

According to a news item emanating from the Belgian news agency BELGA and published in today's Press, the Belgian Government has decided to hold general elections in the Trust Territory of Ruanda-Urundi before the resumption of the fifteenth session of the General Assembly, i.e. before 7 March 1961. The Belgian Government's decision is in direct contravention of General Assembly resolution 1579 (XV) on the question of the future of Ruanda-Urundi, dated 20 December 1960, which provides that the general elections scheduled to be held in January 1961 should be postponed "to a date to be decided on at the resumed fifteenth session of the General Assembly".

Furthermore, operative paragraph 1 of the said resolution provides that "the necessary conditions and atmosphere must be brought about expeditiously to ensure that the legislative elections, which will lead to the establishment of national democratic institutions and furnish the basis for the national independence of Ruanda-Urundi in accordance with the principles and

purposes of the Charter of the United Nations, take place in an atmosphere of peace and harmony". With those aims in view, operative paragraph 2 of the General Assembly resolution urges the Administering Authority "to implement immediately measures of full and unconditional amnesty and to abolish the emergency régime so as to enable political workers and leaders who are in exile or imprisoned in the Territory to resume normal, democratic political activity before the elections".

Consequently, the measures enumerated in the General Assembly resolution should be implemented *before* the elections are held.

In this connexion, it seems to be very necessary and urgent to acquaint all the Members of the General Assembly with the state of affairs concerning the implementation of General Assembly resolution 1579 (XV) of 20 December 1960, and with the results of the recent conference at Ostend (Belgium) which was attended by United Nations observers, including Secretariat staff.

I trust, Mr. President, that you will take the necessary steps to obtain the requisite information, if necessary through the United Nations Secretariat, and to have it circulated to all the States Members of the United Nations.

We consider this matter to be very urgent.

I should be grateful if you would circulate this letter as an official document of the General Assembly.

(Signed) V. ZORIN

*Permanent Representative of the USSR  
to the United Nations*

## DOCUMENT 4690

### **Letter dated 31 January 1961 from the Permanent Representative of Belgium to the United Nations addressed to the President of the General Assembly**

[Original text: French]  
[1 February 1961]

In a letter addressed to you by the Permanent Representative of the USSR and reproduced on 28 January 1961 in document A/4689, Mr. Zorin, referring to press reports, attributes to the Belgian Government the intention of holding general elections in the Trust Territory of Ruanda-Urundi before the resumption of the General Assembly, i.e. before 7 March 1961.

This allegation is completely unfounded. I therefore request that you will be so good as to circulate to the States Members of the United Nations the text of the attached letter, which Mr. Wigny, the Minister for Foreign Affairs of Belgium, addressed on 25 January 1961 to Mr. Dorsinville, Chairman of the United Nations Commission established on 20 December 1960. This communication deals, *inter alia*, with the Belgian Government's decision to postpone the elections planned for the month of January 1961.

(Signed) Walter LORIDAN

*Permanent Representative of Belgium  
to the United Nations*

## ANNEX

LETTER DATED 25 JANUARY 1961 FROM THE MINISTER FOR FOREIGN AFFAIRS OF BELGIUM ADDRESSED TO THE CHAIRMAN OF THE UNITED NATIONS COMMISSION FOR RUANDA-URUNDI

[For the text of the letter, see A/4706/Add.1, annex XIII.]

## DOCUMENT A/4691

### **Letter dated 31 January 1961 from the Permanent Representatives of Burma, India, the Union of Soviet Socialist Republics and the United Arab Republic to the United Nations, addressed to the President of the General Assembly**

[Original text: English]  
[31 January 1961]

According to the reports published in the Press on 30 January 1961, Ruanda, the northern half of the Trust Territory of Ruanda-Urundi, was proclaimed as "an independent republic".

In one of these reports, it was stated: "The dispatches indicated that the new régime was based on the provisional government established last year by Belgium, that it hoped to continue a connection with the United Nations and that it welcomed the continued presence of Belgians".

Further it was reported that "Kigeli V, the Mwami (ruler) of Ruanda, was deposed at a meeting Saturday of burgomasters and municipal councillors".

Your attention, Mr. President, is drawn to the fact that the Trusteeship Agreement which was approved by the General Assembly in 1946 envisages the application of the basic objectives of the International Trusteeship

System to the whole of the Trust Territory of Ruanda-Urundi and the attainment of independence by Ruanda-Urundi as a single entity. It should also be borne in mind that the General Assembly in resolution 1579 (XV) of 20 December 1960 specifically endorsed, in operative paragraph 11, the observation of the Trusteeship Council that "in view of the essential community of interests and the facts of history and geography, the best future for Ruanda-Urundi lies in the evolution of a single, united and composite State, with such arrangements for the internal autonomy of Ruanda and Urundi as may be agreed upon by their representatives".

The General Assembly in the same resolution decided that the legislative elections which will lead to the establishment of national democratic institutions and furnish the basis for the national independence of Ruanda-Urundi, in accordance with the principles and purposes of the Charter, should be postponed in order to carry out

the necessary measures enumerated in operative paragraphs 2, 3, 4 and 6.

It should also be noted that by its resolution 1580 (XV) of 20 December 1960 the General Assembly requested the Administering Authority "to revoke the measures adopted by it to suspend the powers of the Mwami, and to facilitate his return to Ruanda to enable him to function as Mwami pending the ascertainment of the wishes of the people on this question" and decided that "a referendum should be held under the supervision of the United Nations Commission for Ruanda-Urundi established under General Assembly resolution 1579 (XV) of 20 December 1960, in order to ascertain the wishes of the people concerning the institution of the Mwami, and, if necessary, the present Mwami of Ruanda".

In the light of recent developments in the Trust Territory and the pronouncements of the official Belgian circles concerning Ruanda-Urundi, we, members of the Trusteeship Council, draw the attention of the President of the General Assembly to the urgency of taking all necessary measures for the implementation of General Assembly resolutions 1579 (XV) and 1580 (XV).

We, therefore, request you, Mr. President, to seek information concerning the implementation of General Assembly resolutions 1579 (XV) and 1580 (XV) from the Government of Belgium and from the United Nations Commission for Ruanda-Urundi, for circulation to all Members of the United Nations as an urgent matter.

We further request that this letter be issued as a General Assembly document.

(Signed) U THANT  
Permanent Representative of Burma  
to the United Nations

(Signed) C. S. JHA  
Permanent Representative of India  
to the United Nations

(Signed) V. ZORIN  
Permanent Representative of the USSR  
to the United Nations

(Signed) Omar LOUTFI  
Permanent Representative of the United  
Arab Republic to the United Nations

## DOCUMENT A/4692

### **Note verbale dated 31 January 1961 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General**

[Original text: French]  
[1 February 1961]

The Permanent Representative of Belgium presents his compliments to the Secretary-General of the United Nations and has the honour, on the instructions of his Government, to transmit the following communication and to request that it be circulated as a document to all Members of the United Nations.

As the Belgian Government has already indicated in its recent statements concerning the implementation of the United Nations resolutions on the subject of the future of Ruanda and Burundi, the legislative elections in those States (*pays*), which were to have been held in mid-January 1961, have been postponed to the earliest possible date, to be decided upon at the resumed fifteenth session of the General Assembly, which is to convene on 7 March 1961.

In Ruanda, the effects of this decision among the indigenous authorities, supported by the great majority of the population, have just been manifested at Gitarama, where a meeting of all burgomasters and communal councillors of the Territory of Ruanda, called by the Minister of the Interior of the Provisional Government, was held on 28 January 1961.

The Administering Authority felt that it could not forcibly oppose this peaceful expression of the will of the people without running the risk of causing serious disorders which would have had disastrous consequences for the State.

The meeting at Gitarama ended with the adoption of several decisions, one of which was to set up a new Government. Since the latter exercises *de facto* authority, Belgium is prepared to discuss with it the working out of the definitive structure of the State.

However, in accordance with the trusteeship agreements, Belgium will in any event retain the authority it enjoys as administering Power, and will therefore continue to bear the resulting responsibilities towards the United Nations.

The principles proclaimed at the Gitarama meeting will have to be studied by the Belgian Government, which, in agreement with the representatives of the United Nations and of the people of Ruanda concerned, will endeavour shortly to seek solutions such as to ensure the maintenance of peace and facilitate the accession of Ruanda to independence in accordance with the wishes of its inhabitants. In this connexion, the Ruandese political leaders who attended the Gitarama meeting have already asked for a meeting, to be attended by representatives of Ruanda, of Belgium and of the United Nations, to be held at an early date.

The present development in the political situation in Ruanda does not preclude the holding of general elections. In that connexion, the United Nations Commission set up by General Assembly resolution 1579 (XV) of 20 December 1960 is being kept currently informed of developments. It is now at Usumbura.

## DOCUMENT A/4694

**Cable dated 3 February 1961 from the Chairman of the United Nations Commission for Ruanda-Urundi addressed to the President of the General Assembly**

[Original text: French]

[6 February 1961]

After further confirmation accuracy radio broadcast the main points of which were indicated in our cable of 1 February 1961,<sup>5</sup> Commission has received letter Resident-General dated 3 February which includes following passage:

"I also confirm that the trusteeship authorities are taking a waiting attitude towards the new Government of Ruanda and are limiting contact to the requirements of day-to-day business."

With regard to the Belgian Government's attitude to the new situation created in Ruanda, the Resident-General referred to the official communication from the Belgian Government reproduced in *note verbale* dated 31 January Permanent Representative Belgium to United Nations circulated as General Assembly document A/4692.

<sup>5</sup> The cable of 1 February 1961 read as follows:

"Message from Chairman Commission to President General Assembly concerning letter Burma, India, Union of Soviet Socialist Republics and United Arab Republic (A/4691):

'Day after Commission's arrival it learned by radio political events taken place in Ruanda involving meeting communal councillors at which decisions taken dethronement Mwami, proclamation democratic and sovereign Republic Ruanda, election President Republic, recognition provisional United Nations trusteeship with Belgium as Administering Authority, decisions concerning independence to be submitted Legislative Assembly and Supreme Court. Commission lost no time in investigating facts, actions and their significance. Resident-General confirming radio news stated Belgian Government informed situation he awaited instructions. Commission looks forward receiving accurate and official information in near future.'

## DOCUMENTS A/C.4/471 and Add.1

**Communications concerning Ruanda-Urundi: memorandum by the Secretary-General****Document A/C.4/471**

[Original text: English]

[15 March 1961]

Since the General Assembly adjourned on 20 December 1960, the Secretary-General has received twenty-seven communications which raise general problems concerning the Trust Territory of Ruanda-Urundi. In accordance with the relevant rules of the Trusteeship Council's rules of procedure, these communications have been circulated in the following documents:

T/PET.3/L.80-L.104;

T/COM.3/L.48-L.49.

The Secretary-General wishes to bring these documents to the attention of the members of the Fourth Committee in connexion with their consideration of the question of the future of Ruanda-Urundi.

**Document A/C.4/471/Add.1**

[Original text: English]

[13 April 1961]

Since the circulation of document A/C.4/471, the Secretary-General has received a further twelve communications which raise general problems concerning the Trust Territory of Ruanda-Urundi. In accordance with the relevant rules of the Trusteeship Council's rules of procedure, these communications have been circulated in the following documents:

T/PET.3/131/Add.1;

T/PET.3/L.105-L.115.

The Secretary-General wishes to bring these documents to the attention of the members of the Fourth Committee in connexion with their consideration of the question of the future of Ruanda-Urundi.

## DOCUMENT A/C.4/475

**Verbatim record of the discussion on the question of the future of Ruanda-Urundi: statement by the Secretary-General**

[Original text: English]  
[24 March 1961]

1. In order to give effect to the request contained in the draft resolution (A/C.4/L.674 and Add.1) submitted by Burma, Ghana, Guinea, India, Liberia, Mali and Venezuela, relating to the provision of a verbatim record of the discussion on the question of the future of Trust Territory of Ruanda-Urundi, it would be necessary for the Assembly to alter its decision taken in September 1960 on the report of the General Committee (A/4520<sup>6</sup>). In accordance with that decision, the Secretary-General has made the necessary arrangements to provide verbatim services to the First Committee only and to have the debates of the Special Political Committee transcribed from the sound recordings of that Committee's proceedings.

2. Regarding staff, the existing teams of verbatim reporters are now fully devoted to servicing plenary meetings of the General Assembly, the First Committee and, when required, the Security Council. If it were possible to schedule the Fourth Committee discussion on the Ruanda-Urundi question so as not to conflict with any of these other bodies, the existing teams could also provide verbatim records of these debates. However, such scheduling would not appear feasible in view of the agenda for the present session. Furthermore, even if budgetary credits were forthcoming to allow an increase in the staff of verbatim reporters so as to permit coverage of the Fourth Committee debates on the Ruanda-Urundi question, it is very doubtful that the additional technical staff required could, in fact, be recruited in the time available.

<sup>6</sup> See *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 8.

3. Consequently, if verbatim records are to be issued for discussions of the Ruanda-Urundi question in the Fourth Committee, the Secretary-General would suggest one of the following alternatives:

(a) That the Fourth Committee, during its discussion of the Ruanda-Urundi question, should be designated instead of the Special Political Committee as that Committee of the General Assembly for which the debates would be transcribed from sound recordings of the Committee's proceedings. However, the Fourth Committee should only hold meetings on this question once a day, since the sound-transcriber teams are only geared to cope with that volume of work and qualified personnel are not available to expand the teams at this time. Such verbatim record would be issued on a daily basis only in English and French. Should a text in Spanish be required, this could be done only after the close of the session.

(b) That the proceedings of the Fourth Committee during its discussion of the Ruanda-Urundi question should be recorded on tape and a verbatim record transcribed from those sound recordings should be issued as soon as possible thereafter. The transcription would be done by staff of the Stenographic Service following the close of the present session. To undertake this work it would be necessary to retain three monitors and some twenty-four typists in English, French and Spanish on temporary assistance for approximately five weeks to complete the work. The costs in this regard are estimated at \$14,000.

## DOCUMENT A/C.4/476

**Note by Mr. Jean Kigoma, member of the delegation of the *Front commun* of Burundi, on the question of land tenure<sup>7</sup>**

[Original text: French]  
[30 March 1961]

**1. Significance of the question of land tenure**

(a) Land is the main asset of the vast majority of the population. To an agricultural population it is of the greatest importance.

(b) The impact of land ownership on social relations and on law and order is thus easy to appreciate. Over 65 per cent of all cases before the courts arise from the fact that the forms of land ownership have not yet been clearly defined and determined by written law. The fluidity which still persists in some directions is a source of dissension.

(c) The solution of the problem of accession to private property is complicated by the fact that it entails the codification of the land tenure regulations, the making

of a cadastral survey and the training of skilled personnel to carry out the survey.

**2. Forms of land occupation and land use**

(a) The usufruct of agricultural land is a recognized institution among the Barundi. Such land may be occupied in virtue of the right acquired by the first occupant as the person who cleared it, or it may be an official allotment of land which was originally free or which has fallen vacant, or a previously unauthorized occupancy may have been recognized. In all the foregoing cases the land may be leased on a temporary, usually seasonal, basis.

(b) Another institution recognized in Burundi is the communal grazing of land not sown with grain. There are, however, some cattle-breeders who, by virtue of the authority or wealth they possess in the State, still hold more or less exclusive grazing rights over large tracts of land. Some of them, realizing the need to socialize the right of accession to land, have voluntarily distributed a

<sup>7</sup> This note, which was prepared by the *Front commun* in reply to a question asked by the representative of Bolivia at the 1119th meeting of the Fourth Committee, was circulated to the members of the Committee in accordance with a decision taken at its 1122nd meeting.

large proportion of their pasture; others, unfortunately, have not yet grasped this need and an expropriation law will be required to deal with them.

### 3. *Political implications of the land tenure system*

Under the customary system, land was the eminent domain of the Mwami, who through his officials, had the final say in its use and general management. The land was thus kept under direct political control. It was encumbered by servitudes in favour of those in power. Some of these servitudes (forced labour, rights of common, etc.) have already been lifted, but even today there remain vestiges of the old system which should be investigated and abolished for the general good.

The general feeling nowadays is that prospective land-owners should be enabled to free themselves from dependent status by buying out, for a token fee, the last remaining servitudes. The Legislative Assembly is making a study of the matter.

### 4. *Preparatory measures for accession to ownership*

(a) Placing the land allocation system on a democratic basis: The Legislative Assembly will have before it shortly a scheme under which the communal council, on the proposal of the burgomaster, would allot from the communal acreage, to young people wishing to settle on the land, a holding large enough to support a family. Additional plots needed by established farmers would be provided in the same way.

Decisions would be subject to appeal.

Some unoccupied areas, such as Moso, are being gradually organized into peasant settlements (*paysannats*) in which arable and stock farming are integrated. As soon as each parcel of land is developed, it will pass into the occupant's unrestricted ownership.

(b) In areas that are already occupied and where the reorganization of land tenure and rural improvement have

been attempted, such as the rural action areas (ZAR), great advances have already been made in the direction of land improvement and the introduction of rational grazing. These should be the first areas for which a cadastral survey preparatory to the registration of private property should be carried out.

(c) As the carrying out of a cadastral survey requires skilled personnel, schools for the professional training of future surveyors and geometers have been opened.

(d) The Legislative Assembly intends to make a rapid review of the question of freeing the peasants of their long-standing customary servitudes once and for all, placing the forms of accession to property on an orderly basis and setting up machinery for the grant of agricultural loans.

### 5. *Transfers and concessions of land*

Taking the State as a whole, very little agricultural land has been transferred to individual aliens; almost no large-scale concessions have been made; consequently the alien occupation of land is no problem in Burundi. Where land has been expropriated, this has normally been for public purposes: roads, administrative posts, schools and missions. Expropriation has been sanctioned only in relation to genuine needs and here again there is no particular problem.

*Conclusion:* As this brief statement shows, the land-tenure problem is already receiving attention. Extensive studies are still needed, however, before action can be taken in the light of thorough knowledge. There is an urgent need for experts who face similar problems and who are versed in international questions of land tenure to join us in studying these important matters and help us to map out co-ordinated reclamation programmes and a system of accession to ownership. Our State hopes that all those concerned with such technical questions will be able to come to our assistance.

## DOCUMENT A/C.4/477

**Note by the Association pour la promotion sociale de la masse (APROSOMA) and the Parti du mouvement de l'émancipation hutu (PARMEHUTU) concerning the *coup d'état* at Gitarama on 28 January 1961<sup>8</sup>**

[Original text: French]  
[4 April 1961]

Given below is the information concerning the *coup d'état* at Gitarama which was requested by the Fourth Committee of the United Nations General Assembly.

The question referred to these points:

1. Why was the *coup d'état* carried out?
2. Who were the persons responsible?
3. What part was taken in it by representatives of the Administration?
4. What are the facts in the matter?

### I. *The causes*

Our parties have already described at some length, in reply to the questions put to them, the feelings of insecurity and concern experienced by the people and the responsible political figures when news was received on

21 December 1960 of the resolutions adopted by the United Nations General Assembly.

To the Banyarwanda, these resolutions indicated unequivocally that the United Nations was supporting the position of the UNAR party.

We all felt that full implementation of resolutions 1579 (XV) and 1580 (XV) by the Administering Authority would pose a very grave threat to law and order and to the achievements of the anti-feudal revolution.

In order to prevent misinterpretation of the popular reaction, a few observations should be made concerning these resolutions.

Firstly, resolution 1580 (XV) requested the Administering Authority to reinstate the Mwami in power, although he had voluntarily relinquished his authority and the majority parties had conclusively broken with him several weeks earlier because of his repeated refusal to co-operate with them.

<sup>8</sup>This note, which was prepared by APROSOMA and PARMEHUTU in reply to a question asked by the Liberian and Indian representatives at the 1120th meeting of the Fourth Committee, was circulated to the members of the Committee in accordance with a decision taken at its 1120th meeting.

It may be noted in passing that this recommendation is in actual fact a "request".

Secondly, resolution 1580 (XV) also decided that the Administering Authority should submit the question of the monarchy and of the Mwami personally to the people in a referendum (a proposal put forward by UNAR), although it was generally understood that only the future National Constituent Assembly was to be responsible for determining the State's future political system and the popular parties held that, before any decision was taken concerning him, the Mwami Kigeli must be brought before the courts to answer for his part in the political murders of November 1959.

It should be pointed out that, here we have a decision and not merely a recommendation.

Thirdly, resolution 1579 (XV) urged Belgium to implement measures of full and unconditional amnesty as regards common criminals whose trial and sentencing had been demanded by the people.

Here again, note should be taken of the way in which the resolution "urges" the adoption of these measures.

Fourthly, resolution 1579 (XV) recommended postponement of the elections, although a majority of the population had for some months been demanding general elections as a prerequisite to the country's emergence from its present provisional status, although such elections had been decided upon and had already been postponed in the light of the recommendations made by the Visiting Mission of the Trusteeship Council, and although preparations for holding them had been completed after a final date had been set. Everyone in the State knew that UNAR did not want the elections to be held because it was certain to lose them and, thereby, lose all hope of restoring feudalism.

It cannot be denied that, while the above-mentioned resolutions may not have been designed to support the opposition's programme, they very definitely created that impression among the mass of the population and that the latter had legitimate cause for anxiety and distrust (see documents in annex). Those fears, moreover, were further intensified by the attitude taken by the Administering Authority.

At Ostend, a Belgian representative told us that, legally speaking, the United Nations resolutions were merely recommendations and that Belgium was under no formal obligation to comply with them. Ten days later, that same Belgium which had pretended to reassure us at Ostend decided—in disregard of its commitments to our Government and our parties and of the wishes of the majority of the people—to comply with the United Nations resolutions.

Was this not, once again, in the eyes of the masses, after the setback they had met with from the United Nations, a surrender by Belgium in the face of the manoeuvres of the feudalists?

On whom could the people of Rwanda fall back now, if not on themselves?

Then came the *coup d'état*.

## II. Those responsible for the *coup d'état*

The majority political parties assume full and exclusive responsibility for the *coup d'état*, both as regards its inspiration and its organization and execution. The Minister for the Interior, responsible for the pacification of the State, lent his authority to the operation. It is not for us to mention any names here, and we have nothing further to state on this matter.

## III. Part played by the Trusteeship Administration

No one has ever thought of denying the effective participation of certain officials of the Administration in the Gitarama meeting.

The notices convening the meeting were transmitted through the district authorities and transport was organized by them. Certain local civil officials were present at Gitarama who could not have been in any way aware of the intentions of the Minister for the Interior and of the party leaders. Their very presence argues in favour of their ignorance.

The declared object of the meeting was legitimate, and we think it natural that the local officials of the Administration should have lent their material aid to the Minister for the Interior within the framework of their responsibilities.

Some may wonder why they did not intervene once the secret object of the meeting had been revealed. But how could they have acted and what could they have done? One must choose the lesser of two evils!

Some will perhaps still try to show that participation by administrative officials points to complicity between our parties and the authorities. Let them spare themselves the trouble; there was no complicity whatever in the *coup d'état*.

## IV. Account of events of 28 January 1961

After Belgium had decided to postpone the elections in Ruanda-Urundi, the Minister for the Interior of Rwanda called all the burgomasters and communal councillors of the country through the district authorities to a meeting arranged for 28 January 1961 at Gitarama. The purpose of the meeting, according to the notice convening it, was to take certain steps in the direction of pacification and reorganization.

The meeting began at 12 noon. Nearly all the councillors were present. Around the enclosure in which they were assembled, there gathered a crowd of thousands of people, attracted by the unusual nature of the meeting.

The Minister for the Interior, Mr. Rwasibo, who had organized the meeting, first introduced to the councillors—among whom a number of Tutsi and European councillors were to be noted—the Head of the Provisional Government of Rwanda, the President of the Council of Rwanda, the members of the Government and the members of the Council. Mr. Rwasibo next addressed the communal councillors and the burgomasters, thanking them for having efficiently taken part, since October 1960, in the complete pacification of the State. He then put to them the following questions:

"What is to be the solution of the Kigeli question?"

"By whom were the councillors of Rwanda elected?"

"When will the interim period end?"

"It is for you, the burgomasters and councillors representing the population of Rwanda, to answer these questions."

The crowd shouted: "We want elections, let us vote at once . . .".

The Minister was warmly applauded when he ended with this statement: "The Kalinga, the Biru and the feudal organization have made the people of this country unhappy. These institutions must disappear and give place to democracy."

Mr. Joseph Gitera spoke next. To the applause of the crowd, he announced that the Kalinga was abolished and that the reign of Kigeli had come to an end. He then

exhibited the green, yellow and red flag which he said was the symbol of the new Rwanda. At 12.30, Mr. Gitera declared that the form of government best meeting the aspirations of the Ruandese people was the republic. He ended by shouting "Long live the Republic", which was repeated by the crowd.

Mr. Grégoire Kayibanda, Prime Minister of Rwanda, followed him on the rostrum. For the benefit of those at the meeting who did not speak Kinyarwanda, he repeated in French the main ideas expressed by Mr. Gitera, stressing that the Mwami Kigeli and his line were permanently divested of their functions, that the institutions of the Kalinga and the Biru were permanently abolished, and that the green, yellow and red flag was the symbol of the new Rwanda and that Rwanda would be a republic.

Mr. Rwasibo took the floor again to initiate the election of the President of the Republic.

Four parties submitted a candidate for the Presidency: APROSOMA submitted Mr. Joseph Gitera; AREDETWA submitted Mr. Laurent Munyankuge; PARMEHUTU submitted Mr. Dominique Mbonyumutwa; and APADEC submitted Mr. Augustin Rugiramasasu.

Each candidate was presented to the councillors, and the voting began at 12.55 p.m. At that point some members of the RADER party left the enclosure, but most of that party's delegates took part in the voting. At 3.48 p.m., the Minister for the Interior announced the results of the vote. They were as follows:

Of the 3,126 burgomasters and councillors in Rwanda, 2,873 voted, i.e. 91.9 per cent;

Mr. Mbonyumutwa obtained 2,391, Mr. Gitera 433, Mr. Munyankuge 7 and Mr. Rugiramasasu 6 votes. There were 36 spoiled papers. The Minister for the Interior announced that accordingly Mr. Mbonyumutwa was elected President of the Republic of Rwanda, having obtained 83.2 per cent of the votes cast as against 15 per cent cast for Mr. Gitera.

Immediately after the results were announced, Mr. Rwasibo declared that the burgomasters and councillors would proceed to the election of the members of the Legislative Assembly of Rwanda. The voting would be carried out by districts and the seats, forty-four in all, would be distributed in the following way: 8 to Astrida; 5 to Ruhengeri and Kigali; 4 to Gitarama, Nyanza, Byumba and Kisenyi; 3 to Kibuye and Shangugu.

The voting gave 40 seats to PARMEHUTU, which took all the seats in nine of the ten districts; in the district of Astrida, 4 seats went to PARMEHUTU and 4 to APROSOMA. The candidates of APADEC, AREDETWA and RADER (the latter's candidates standing as individuals) obtained no seats.

Mr. Mbonyumutwa then entrusted Mr. Grégoire Kayibanda with the task of forming the Government. While the latter was consulting certain notables, the Legislative Assembly which had just been elected met to elect its President and Vice-President. Mr. Gitera was elected President, having been proposed by the PARMEHUTU party, while Mr. Mpakanye defeated Mr. Munyangaju for the Vice-Presidency.

Shortly after 7.30 p.m., Mr. Kayibanda announced the formation of a Government.

Mr. Mbonyumutwa then announced the institution of a Supreme Court. Lastly, he stated the broad principles which were to guide the new Rwandese State.

The President-elect, Mr. Mbonyumutwa, ended by stating that those measures would enter into force on 28 January 1961, and that 28 January would be Rwanda's National Day. He announced that Monday, 30 January 1961, would be a holiday for all the workers of Rwanda.

The day ended with a speech by Mr. Kayibanda. He predicted difficult days ahead for the country's inhabitants, but hoped that they would nevertheless achieve peace and prosperity.

The meeting ended at about 9 p.m.

## DOCUMENT A/C.4/480

### Financial implications of the draft resolution contained in document A/C.4/L.678 and Add.1: note by the Secretary-General

[Original text: English]  
[11 April 1961]

1. The Fourth Committee, at its 1094th meeting on 17 December 1960, adopted a draft resolution (A/C.4/L.664/Rev.1) by which the General Assembly would decide to set up a Commission for Ruanda-Urundi, composed of three members, who would be assisted by observers and staff to be appointed by the Secretary-General in consultation with the Commission.

2. The Secretary-General submitted a statement of financial implications to the General Assembly (A/C.5/857) on the above-mentioned draft resolution. The Fifth Committee decided, without objection, to inform the General Assembly that the adoption of the draft resolution recommended by the Fourth Committee would give rise to an expenditure in 1961 of the order of \$240,000 (A/4673).

3. The General Assembly, at its 960th plenary meeting of 20 December 1960, adopted, by its resolution 1579 (XV), the recommendation of the Fourth Committee and appropriated accordingly a sum of \$240,000.

4. The draft resolution (A/C.4/L.678) now before the Committee will result in additional financial requirements. The main factors involved are:

(a) Paragraph 8 of the draft resolution designates the three members of the United Nations Commission elected by the General Assembly on 20 December 1960 as United Nations Commissioners.

(b) The interim report of the United Nations Commission appointed under resolution 1579 (XV) and issued as document A/4706 and Add.1 states in paragraph 206 that the "Commission considers that more observers should be placed at its disposal than the ten contemplated in document A/C.5/857".

(c) Finally, paragraph 9 (b) of the draft resolution recommends that the few remaining cases, which in the Administering Authority's view are guilty of "very grave crimes", be examined by a special commission composed of the representatives of three Member States to be elected by the General Assembly.

5. The financial implications, as can be foreseen at this moment, are as follows:

(a) The designation of three Commissioners would require payment of some remuneration to them in addition to travel and subsistence costs which were already covered in the original appropriation. Such additional remuneration could amount to \$40,000.

(b) The interim report has stated that provision for ten observers is inadequate. To raise this number to twenty would require an additional \$40,700 for travel and subsistence allowance payments. Additional provision will also have to be made for supporting staff, transportation, interpretation and replacement of staff, seconded to the Commission from Headquarters. The additional re-

quirements for these items are estimated at \$52,400. In addition to credits already available for the financial year 1961, an amount of \$133,100 would be required on account of the above factors.

(c) The designation of a special commission will require provision for travel and subsistence allowance for the three commission members. In addition transportation and supporting staff will have to be made available. The total for this purpose is estimated to amount to \$13,200.

6. On the basis of the above information, total additional requirements for 1961, amounting to \$146,300, are foreseen.

### DOCUMENT A/C.5/865

#### Financial implications of draft resolution I submitted by the Fourth Committee in document A/4735: note by the Secretary-General

[Original text: English]  
[19 April 1961]

1. At the time the General Assembly adopted its resolution 1579 (XV) of 20 December 1960 relating to the question of the future of Ruanda-Urundi, it was informed by the Fifth Committee (A/4673) that the adoption of the resolution would give rise to additional expenditures in 1961 of the order of \$240,000.

2. The Fourth Committee, at its 1140th meeting on 12 April 1961, adopted a further draft resolution on the question of the future of Ruanda-Urundi (A/4735, para. 30, draft resolution I) which will result in additional financial requirements.

3. The elements of the draft resolution which give rise to the additional requirements are:

(a) Paragraph 8 of the draft resolution designates the three members of the United Nations Commission for Ruanda-Urundi elected by the General Assembly on 20 December 1960 as United Nations Commissioners;

(b) The interim report of the United Nations Commission appointed under resolution 1579 (XV) and issued as document A/4706 and Add.1, states in paragraph 206 that "the Commission considers that more observers should be placed at its disposal than the ten contemplated in document A/C.5/857";

(c) Paragraph 9 (b) of the draft resolution recommends that the few remaining cases, which in the Administering Authority's view are guilty of "very grave crimes", be examined by a special commission composed of the representatives of three Member States to be elected by the General Assembly.

4. It is estimated that, in addition to the \$240,000 already appropriated for the United Nations Commission, a further amount of \$146,300 will be required in the event of the adoption by the General Assembly of the draft resolution recommended by the Fourth Committee.

5. The designation of the three members of the Commission as Commissioners infers payment of remuneration in addition to travel and subsistence costs which were covered in the original appropriation. It is expected that the three Commissioners will serve for some seven months. It is estimated that a total cost for this item will amount to some \$40,000.

6. The interim report submitted by the United Nations Commission has stated that provision for ten observers

is inadequate (A/4706, para. 206). It is assumed on the basis of information available from the Commission upon its return to Headquarters that this number should be raised to twenty. This would require additional provision for travel and subsistence in the amount of \$40,700. Additional provision will have to be made for supporting staff and in this regard one administrative clerk and one secretary will be needed, which will result in \$8,100 for travel and subsistence. As a result of the increase in observers, transportation estimates have been revised. In addition to the requirements shown in A/C.5/857, the following costs are estimated:

	United States dollars
(a) Rental of 11 small cars for 120 days during the period that the observers will be in the field ...	6,700
(b) Insurance coverage for these cars	900
(c) Repairs and maintenance of the vehicles .....	1,400
	<hr/> 9,000

The increase in the number of observers will require more interpreters at an estimated cost of \$3,000.

7. As a result of the additional demands placed on the Secretariat to find ten more observers and supporting staff, it will be necessary to make adequate provision for replacement of staff seconded to the Commission. The following additional provision is needed:

	United States dollars
(a) Replacement of a secretary at level G-3 .....	4,900
(b) Administrative finance clerk at G-5 .....	6,000
(c) Observers at level P-3 .....	21,400
	<hr/> 32,300

8. Paragraph 9 of the resolution establishes a special commission. This will require additional provision for:

	United States dollars
(a) Travel and subsistence allowances for three members of the commission .....	10,200

United States dollars

(b) Additional subsistence allowances for supporting staff which, as much as possible will be drawn from the United Nations Commission, will amount to..	2,000
(c) Transportation requirements for the members of the special commission estimated at	1,000
	<hr/> 13,200

9. If the draft resolution is adopted by the General Assembly, additional financial commitments up to \$146,300 will have to be made for which no budgetary provision was included in the 1961 budget. In that event, the Secretary-General would propose to meet these requirements as unforeseen expenses for the financial year 1961, and would submit supplementary estimates to the General Assembly at its sixteenth session in this regard.

## DOCUMENT A/4735

### Report of the Fourth Committee

[Original text: English]  
[20 April 1961]

1. At its 1106th meeting, on 17 March 1961, the Fourth Committee resumed its consideration of the following item on the agenda of its fifteenth session:

“45. Question of the future of Ruanda-Urundi”.

2. The Committee had before it the interim report of the United Nations Commission for Ruanda-Urundi (A/4706 and Add.1) submitted in accordance with paragraph 10 of General Assembly resolution 1579 (XV) and paragraph 4 of General Assembly resolution 1580 (XV).

3. Other documentation before the Committee relating to this question included the following: a letter dated 24 January 1961 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the President of the General Assembly (A/4689); a letter dated 31 January 1961 from the Permanent Representative of Belgium (A/4690) and a letter of the same date from the Permanent Representatives of Burma, India, the Union of Soviet Socialist Republics and the United Arab Republic (A/4691), both addressed to the President of the General Assembly; a *note verbale* dated 31 January 1961 from the Permanent Representative of Belgium addressed to the Secretary-General (A/4692); a cable dated 3 February 1961 from the Chairman of the United Nations Commission for Ruanda-Urundi, addressed to the President of the General Assembly (A/4694); a memorandum by the Secretary-General concerning communications relating to Ruanda-Urundi (A/C.4/471 and Add.1).

4. In connexion with this item the Fourth Committee, at its 1098th, 1102nd, 1105th and 1110th meetings, held on 9, 13, 16 and 21 March 1961, granted without objection requests for hearings submitted by twenty-nine petitioners (A/C.4/468 and Add.1 to 5).

5. At its 1106th, 1108th and 1112th meetings, held on 17, 20 and 22 March 1961, the Committee heard statements by the Chairman of the United Nations Commission for Ruanda-Urundi and the representative of Belgium as the Administering Authority. The texts of these statements were subsequently distributed to members of the Committee as documents A/C.4/472, 473 and 474.

6. At the 1107th meeting, on 17 March 1961, Burma, Guinea, India, Liberia and Venezuela submitted a draft resolution (A/C.4/L.674) calling for the records of the proceedings of the Fourth Committee on this item during the resumed fifteenth session to be made available

in verbatim form. This draft resolution, which Ghana and Mali joined in sponsoring (A/C.4/L.674/Add.1), was discussed at the 1116th and 1117th meetings, on 24 March 1961, in the light of a statement by the Secretary-General (A/C.4/475). The draft resolution was withdrawn by the co-sponsors following the adoption by the Committee of an oral proposal by the representative of Venezuela, supplemented by the representative of Guinea, to the effect that the statements by the Chairman or members of the United Nations Commission for Ruanda-Urundi, the Administering Authority and the petitioners, as well as other particularly important statements to be determined by the Committee, should be circulated as documents and should appear in verbatim form in the official records.

7. At the 1117th meeting, the Committee began the hearing of petitioners with statements by Mr. Michel Rwagasana, on behalf of the Union nationale ruandaise (UNAR); Mr. Alexandre Rutera, on behalf of Kigeli V, Mwami of Ruanda; and Mr. Thadée Siryuyumunsi, on behalf of Unité et progrès national (UPRONA).

8. At the 1118th meeting, on 27 March 1961, the Committee heard statements by Mr. Pierre Ngunzu, on behalf of the Parti Hutu-Tutsi-Twa (HTT); and Mr. Joseph Birolu, and Mr. Jean Kigoma, on behalf of the Front commun de Burundi. The latter two petitioners replied to questions put to them by members of the Committee, as did also the Chairman of the United Nations Commission for Ruanda-Urundi.

9. At the 1119th meeting, on the same day, statements were made by Mr. Urbain Bandy (Front commun de Burundi), Mr. Apollinaire Sineremera (UPRONA) and Mr. Calliope Mulindahabi, who made a statement on behalf of both the Association pour la promotion de la masse (APROSOMA) and the Parti du mouvement de l'émancipation hutu (PARMEHUTU). Several of the petitioners replied to questions put to them by members of the Committee.

10. The 1120th to 1123rd meetings, on 28 and 29 March 1961, were devoted to the questioning of petitioners from Ruanda. In addition to those who had previously addressed the Committee, replies to questions were also given by Mr. Fidèle Nkundabagenzi (PARMEHUTU), Mr. Germain Gasingwa (APROSOMA) and Mr. Aloys Munyangaju (APROSOMA). Written replies to questions posed by members of the Committee at these meetings were furnished by Mr. Jean Kigoma (Front commun de Burundi) concerning the

question of land tenure (A/C.4/476) and by the APROSOMA and PARMEHUTU petitioners concerning the *coup d'état* at Gitarama (A/C.4/477).

11. At the 1124th and 1125th meetings, on 30 March 1961, the Committee heard statements by Mr. Côme Rebero and Mr. Joseph Rutsindintwarane (UNAR), Mr. Nelson Rwagasore, on behalf of the Mouvement pour la réconciliation nationale au Ruanda, and Mr. Prosper Bwanakweri, on behalf of the Rassemblement démocratique ruandais (RADER). During the 1125th, 1126th and 1127th meetings, members of the Committee continued to put questions to the petitioners from Ruanda.

12. At its 1129th and 1130th meetings, on 4 and 5 April 1961, the Committee returned to the questioning of petitioners from Urundi. At the latter meeting, it also heard a statement by Mr. Bernard Niyirikana, on behalf of the Union pour la promotion des Hutu (UPROHUTU).

13. The Committee concluded the hearing of petitioners from Ruanda-Urundi at its 1131st meeting, on 6 April 1961.

14. In the course of the 1132nd to 1134th meetings, from 6 to 10 April 1961, the representative of Belgium made a statement and replied to questions put to him by members of the Committee.

15. The Committee debated the item at its 1134th to 1140th meetings, from 10 to 12 April 1961. This debate proceeded concurrently with its examination of draft resolutions relating to, firstly, the question of the future of Ruanda-Urundi, and secondly, land tenure and agrarian reform in Ruanda-Urundi.

#### I. QUESTION OF THE FUTURE OF RUANDA-URUNDI

16. At the 1134th meeting, Afghanistan, Burma, Cuba, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Ivory Coast, Lebanon, Liberia, Libya, Mexico, Morocco, Mali, Nigeria, Norway, Somalia, Sudan, Tunisia, Upper Volta, United Arab Republic, United States of America and Yugoslavia submitted a draft resolution (A/C.4/L.678). Ceylon and Pakistan later joined, and Ivory Coast withdrew as co-sponsors of this text (A/C.4/L.678/Add.1).

17. The draft resolution read as follows:

*"The General Assembly,*

*"Recalling its resolutions 1579 (XV) and 1580 (XV) concerning the future of the Trust Territory of Ruanda-Urundi,*

*"Having received the interim report (A/4706 and Add.1) of the United Nations Commission appointed under resolution 1579 (XV),*

*"Regretting the failure of the Administering Authority to implement fully and effectively the terms of resolution 1579 (XV), the resistance to such implementation by the local representatives of the Administering Authority in Ruanda-Urundi, and their failure to co-operate fully and effectively with the United Nations Commission for Ruanda-Urundi,*

*"Regretting the de facto recognition by the Administering Authority of governmental bodies in Ruanda which were established by irregular and unlawful means and which cannot be regarded as fully representative of all segments of the population in the absence of any free and fair elections on the basis of direct universal adult suffrage as envisaged in resolution 1579 (XV),*

*"Regretting also the setting up of governmental bodies in Urundi on the basis of communal elections contrary to the assurances given by the Administering Authority that communal elections were purely administrative and had no political character,*

*"Noting the several statements of the representatives of the Administering Authority indicating its intention to co-operate fully with the United Nations in Ruanda-Urundi,*

*"Having heard the views of the petitioners from Ruanda-Urundi,*

*"1. Expresses its appreciation to the members of the United Nations Commission for Ruanda-Urundi for their conscientious discharge of the duties entrusted to them under resolutions 1579 (XV) and 1580 (XV);*

*"2. Calls upon the Government of Belgium as the Administering Authority to ensure that the provisions of resolution 1579 (XV) are fully implemented by their representatives in Ruanda-Urundi before the legislative elections;*

*"3. Recognizes that the Government of Belgium is alone responsible for the administration of the Trust Territory of Ruanda-Urundi and accountable to the United Nations, and that its responsibilities as the Administering Authority cannot in any way be abdicated to local political bodies and leaders until after appropriate democratic institutions have been set up, and the Trusteeship Agreement terminated, all with the approval of the United Nations;*

*"4. Considers it necessary that, pending the establishment of popular governments on the basis of the legislative elections to be held in 1961, broad-based caretaker governments be constituted immediately in both parts of the Trust Territory to attend to current affairs of administration and to act in strict conformity with the obligations of the Administering Authority for the implementation of the resolutions of the General Assembly;*

*"5. Declares that it is clearly the obligation and the responsibility of the Administering Authority to create the necessary conditions and atmosphere for the proper conduct of the national elections and not to permit any local authorities to impede the implementation of the resolutions of the General Assembly;*

*"6. Decides that the referendum on the question of the Mwami, contemplated in resolution 1580 (XV), and the legislative elections in Ruanda-Urundi should be held in the month of August 1961, under the supervision of the United Nations, and that these be organized by the Administering Authority in full consultation with the United Nations Commission for Ruanda-Urundi, actual dates to be fixed after mutual consultation in the light of the prevailing circumstances;*

*"7. Decides further that the questions to be put at the referendum on the question of the Mwami in Ruanda should be the following:*

*"1. Do you wish to retain the institution of the Mwami in Ruanda?*

*"2. If so, do you wish Kigeli V to continue as the Mwami of Ruanda?"*

*"8. Requests the United Nations Commission, composed of three members elected by the General Assembly on 20 December 1960, hereafter to be designated United Nations Commissioners, to return*

to Ruanda-Urundi at the earliest possible time to assist and advise the Administering Authority in the full and proper implementation of resolution 1579 (XV) and the present resolution and to perform the other tasks entrusted to it;

"9. *Notes* the information given by the representative of the Administering Authority concerning measures of amnesty already implemented, and recommends that:

"(a) Full and unconditional amnesty, as envisaged in resolution 1579 (XV), be immediately granted by the Administering Authority;

"(b) The few remaining cases which, in the Administering Authority's view, are guilty of 'very grave crimes' be examined by a Special Commission composed of the representatives of three Member States to be elected by the General Assembly, with a view to securing their release from prison or return from abroad in the full implementation of the General Assembly's recommendations concerning amnesty not later than two months before the national elections;

"10. *Requests* the Administering Authority to ensure that the material conditions essential to the successful discharge by the United Nations Commissioners of their responsibilities, such as housing, office space, travel facilities, information and the free use of official broadcasting facilities etc. are provided, and that the local authorities co-operate fully with them;

"11. *Requests* the Commission to submit a report on the implementation of this resolution at the Assembly's sixteenth session;

"12. *Calls upon* the Administering Authority to rescind or suitably amend Legislative Order No. 221/296 of 25 October 1960, so as to ensure that there is no unwarranted interference with the exercise of public freedom and that no persons may be removed or detained without recourse to law;

"13. *Reiterates*, once again, its conviction that the best future for Ruanda-Urundi lies in the accession to independence of that Territory as a single, united and composite State."

18. At the 1136th meeting, Poland submitted an amendment (A/C.4/L.680) to the effect that the following words should be added at the end of operative paragraph 6: "So as to enable the people of Ruanda-Urundi to accede to independence not later than 1 January 1962".

19. At the same meeting, Nepal submitted four amendments (A/C.4/L.681), which read as follows:

"1. In the sixth preambular paragraph, substitute the words 'conveying assurances that it will' for the words 'indicating its intention to'.

"2. In operative paragraph 6, insert the words 'on the basis of direct universal adult suffrage' after the words 'in August 1961'.

"3. After operative paragraph 11, insert the following new paragraph:

"*Decides* to maintain this item on the agenda of the present session, without closing the debate thereon, and authorizes the United Nations Commission, in the event that the performance of its duties be hindered through deliberate obstruction or lack of requisite co-operation from any quarter, to return to Headquarters and request the President of the General Assembly to reconvene the Assembly immediately to

consider further measures essential to the discharge of the United Nations obligations with respect to the Trust Territory of Ruanda-Urundi."

"4. In operative paragraph 12, insert the words 'due process of' between the words 'to' and 'law'."

The first, second and fourth of these amendments were subsequently accepted by the co-sponsors of the draft resolution.

20. At the 1137th meeting, Bulgaria submitted four amendments (A/C.4/L.682)<sup>9</sup> which, as subsequently revised at the 1140th meeting (A/C.4/L.682/Rev.1), read as follows:

"1. Insert as the first preambular paragraph the following:

"*Bearing in mind* the provisions of the General Assembly's Declaration on the granting of independence to colonial countries and peoples,"

"2. In operative paragraph 9, delete sub-paragraph (b).

"3. Between operative paragraphs 9 and 10, insert the following new paragraph:

"*Notes with concern* the observations contained in paragraphs 200-203 of the Interim report of the United Nations Commission for Ruanda-Urundi (A/4706) and calls upon the Administering Authority to observe strictly its international obligations under the Trusteeship Agreement";

"4. In operative paragraph 12, delete the words 'or suitably amend'."

The first of these amendments was subsequently accepted by the co-sponsors of the draft resolution. The representative of Bulgaria did not press for a vote on the second amendment, which therefore was not voted on.

21. At the 1140th meeting, the representative of Poland withdrew his amendment (A/C.4/L.680) and orally proposed an amendment to the effect that the following paragraph be added at the end of the draft resolution:

"*Considers* that the full implementation of all the provisions of this resolution will enable the General Assembly at its sixteenth session to consider the termination of the Trusteeship Agreement at the earliest possible date".

22. The representative of the Union of Soviet Socialist Republics orally proposed an amendment to the effect that the following words be added at the end of paragraph 12:

"... in addition, articles 9-14 of the above-mentioned order should be unconditionally revoked as contradicting the Universal Declaration of Human Rights".

23. The representative of Argentina orally proposed two sub-amendments to the third of the revised amendments submitted by Bulgaria (A/C.4/L.682/Rev.1, para. 3), as follows: firstly, the deletion of the words "with concern"; and secondly, the substitution of "199" for "200".

<sup>9</sup> A/C.4/L.682 differed from A/C.4/L.682/Rev.1 only in regard to the third amendment: in A/C.4/L.682 the new paragraph to be inserted read as follows:

"*Considers* that the use of the Trust Territory of Ruanda-Urundi by the Administering Authority for military purposes against the Republic of the Congo is a violation of the provisions of the Trusteeship Agreement adopted by the General Assembly on 13 December 1946, and reaffirms the recommendation contained in operative paragraph 6 of resolution 1579 (XV)";

24. At the same meeting, the Committee voted upon the draft resolution (A/C.4/L.678 and Add.1) as orally revised, and the amendments thereto as follows:

The third amendment submitted by Nepal (A/C.4/L.681, para. 3), calling for the insertion of a new paragraph after operative paragraph 11, was adopted by a roll-call vote of 47 to 22, with 18 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Cuba, Czechoslovakia, Ethiopia, Federation of Malaya, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Libya, Madagascar, Mali, Mexico, Morocco, Nepal, Pakistan, Poland, Romania, Senegal, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Argentina, Australia, Belgium, Canada, China, Denmark, Finland, France, Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Panama, Philippines, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Austria, Bolivia, Brazil, Chile, Colombia, Congo (Leopoldville), Costa Rica, Cyprus, Dominican Republic, Ecuador, Greece, Israel, Niger, Nigeria, Paraguay, Peru, Saudi Arabia, Thailand.

The sub-amendment proposed orally by the representative of Argentina to the effect that the words "with concern" should be deleted from the third Bulgarian amendment (A/C.4/L.682/Rev.1, para. 3) was adopted by 34 votes to 32, with 12 abstentions.

The sub-amendment proposed orally by the representative of Argentina to the effect that the number "199" should be substituted for "200" in the third Bulgarian amendment (A/C.4/L.682/Rev.1, para. 3) was adopted by 36 votes to 29, with 21 abstentions.

The third Bulgarian amendment (A/C.4/L.682/Rev.1, para. 3), as amended, was adopted by 31 votes to 22, with 24 abstentions.

The fourth Bulgarian amendment (A/C.4/L.682/Rev.1, para. 4) was adopted by 22 votes to 18, with 39 abstentions.

The amendment proposed orally by the USSR representative was not voted on in view of the adoption of the fourth Bulgarian amendment.

The amendment proposed orally by the representative of Poland, calling for the addition of a new operative paragraph at the end of the draft resolution, was adopted by 72 votes to none, with 10 abstentions.

The first preambular paragraph of the draft resolution as proposed by Bulgaria (A/C.4/L.682/Rev.1, para. 1) and accepted by the sponsors was adopted by a roll-call vote of 82 to none, with 5 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy,

Japan, Lebanon, Liberia, Libya, Madagascar, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, France, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland.

The third, fourth and fifth preambular paragraphs of the draft resolution were adopted by 70 votes to 1, with 9 abstentions.

The sixth preambular paragraph with the amendment (A/C.4/L.681, para. 1) proposed by Nepal and accepted by the sponsors was adopted by a roll-call vote of 83 votes to none, with 4 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Libya, Madagascar, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Senegal, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Operative paragraph 7 of the draft resolution was adopted by 66 votes to 1, with 16 abstentions.

The draft resolution (A/C.4/L.678 and Add.1) as a whole, as revised by the sponsors and as amended, was adopted by a roll-call vote of 83 to 1, with 3 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Argentina, Australia, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Libya, Madagascar, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

*Against:* Belgium.

*Abstaining:* France, Portugal, Spain.

25. The text of the draft resolution is set forth in paragraph 30 of the present report as draft resolution I.

## II. LAND TENURE AND AGRARIAN REFORM IN RUANDA-URUNDI

26. At the 1136th meeting, Bolivia submitted a draft resolution (A/C.4/L.679) which proposed that the General Assembly should, firstly, recommend that the Administering Authority should urgently request the United Nations and the specialized agencies, under the technical assistance programmes, to dispatch an expert mission to study the problem of land tenure and utilization in Ruanda-Urundi, in co-operation with the local authorities, with a view to determining the extent to which the present system is prejudicial to the Territory's economic and social development, and to recommending corrective measures; and secondly, express the hope that the Technical Assistance Board and the specialized agencies concerned would give favourable consideration to such a request.

27. The draft resolution was considered by the Committee at its 1137th to 1140th meetings. At the last of these meetings, Mexico joined as a co-sponsor.

28. At the same meeting, the Committee adopted the draft resolution unanimously.

29. The text of the draft resolution is set forth in paragraph 30 of the present report as draft resolution II.

### *Recommendations of the Fourth Committee*

30. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

#### *Draft resolution I*

##### QUESTION OF THE FUTURE OF RUANDA-URUNDI

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

#### *Draft resolution II*

##### LAND TENURE AND AGRARIAN REFORM IN RUANDA-URUNDI

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## DOCUMENT A/4741

### **Financial implications of draft resolution I submitted by the Fourth Committee in document A/4735: report of the Fifth Committee**

[Original text: English]  
[20 April 1961]

1. In accordance with the provisions of rule 154 of the rules of procedure of the General Assembly, the Fifth Committee, at its 845th meeting held on 20 April 1961, considered the financial implications of the draft resolution (A/4735, para. 30, draft resolution I) recommended by the Fourth Committee on the question of the future of Ruanda-Urundi.

2. For this purpose, the Committee had before it a statement of financial implications submitted by the Secretary-General (A/C.5/865). The Chairman of the Advisory Committee on Administrative and Budgetary Questions orally submitted the report of that Committee.

3. The Fifth Committee decided, without objection, to inform the General Assembly that the adoption of the draft resolution recommended by the Fourth Committee would give rise to additional expenditures in 1961 of \$146,300, which would be included in the supplementary estimates for 1961 to be submitted to the General Assembly at its sixteenth session.

## **ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 994th plenary meeting, on 21 April 1961, the General Assembly adopted draft resolutions I and II submitted by the Fourth Committee (A/4735, para. 30). For the final texts, see resolutions 1605 (XV) and 1606 (XV), respectively, below.

At the same meeting, the General Assembly appointed the members of the Special Commission established under the terms of paragraph 9 (b) of resolution 1605 (XV). The Special Commission is composed as follows: Brazil, Canada and Tunisia.

**Resolutions adopted by the General Assembly****1605 (XV). QUESTION OF THE FUTURE OF  
RUANDA-URUNDI**

*The General Assembly,*

*Bearing in mind* the provisions of the General Assembly's Declaration on the granting of independence to colonial countries and peoples,<sup>10</sup>

*Recalling* its resolutions 1579 (XV) and 1580 (XV) of 20 December 1960 concerning the future of the Trust Territory of Ruanda-Urundi,

*Having received* the interim report of the United Nations Commission for Ruanda-Urundi (A/4706 and Add.1) appointed under resolution 1579 (XV),

*Regretting* the failure of the Administering Authority to implement fully and effectively the terms of resolution 1579 (XV), the resistance to such implementation by the local representatives of the Administering Authority in Ruanda-Urundi and their failure to co-operate fully and effectively with the United Nations Commission for Ruanda-Urundi,

*Regretting* the *de facto* recognition by the Administering Authority of governmental bodies in Ruanda which were established by irregular and unlawful means and which cannot be regarded as fully representative of all segments of the population in the absence of free and fair elections on the basis of direct universal adult suffrage, as envisaged in resolution 1579 (XV),

*Regretting also* the setting up of governmental bodies in Urundi on the basis of communal elections, contrary to the assurances given by the Administering Authority that communal elections were purely administrative and had no political character,

*Noting* the several statements of the representatives of the Administering Authority conveying assurances that it will co-operate fully with the United Nations in Ruanda-Urundi,

*Having heard* the views of the petitioners from Ruanda-Urundi,

1. *Expresses its appreciation* to the members of the United Nations Commission for Ruanda-Urundi for their conscientious discharge of the duties entrusted to them under General Assembly resolutions 1579 (XV) and 1580 (XV);

2. *Calls upon* the Government of Belgium as the Administering Authority to ensure that the provisions of resolution 1579 (XV) are fully implemented by its representatives in Ruanda-Urundi before the legislative elections;

3. *Recognizes* that the Government of Belgium is alone responsible for the administration of the Trust Territory of Ruanda-Urundi and accountable to the United Nations, and that its responsibilities as Administering Authority cannot in any way be abdicated to local political bodies and leaders until after appropriate democratic institutions have been set up and the Trusteeship Agreement terminated, all with the approval of the United Nations;

4. *Considers it necessary* that, pending the establishment of popular governments on the basis of the legislative elections to be held in 1961 broad-based caretaker governments be constituted immediately in both parts of the Trust Territory to attend to current affairs of administration and to act in strict conformity

with the obligations of the Administering Authority for the implementation of the resolutions of the General Assembly;

5. *Declares* that it is clearly the obligation and the responsibility of the Administering Authority to create the necessary conditions and atmosphere for the proper conduct of the national elections and not to permit any local authorities to impede the implementation of the resolutions of the General Assembly;

6. *Decides* that the referendum on the question of the Mwami, contemplated in resolution 1580 (XV), and the legislative elections in Ruanda-Urundi should be held in the month of August 1961 on the basis of direct universal adult suffrage, under the supervision of the United Nations, and that these be organized by the Administering Authority in full consultation with the United Nations Commission for Ruanda-Urundi, the actual dates to be fixed, after mutual consultation, in the light of the prevailing circumstances;

7. *Decides further* that the questions to be put at the referendum on the question of the Mwami in Ruanda should be the following:

"1. Do you wish to retain the institution of the Mwami in Ruanda?

"2. If so, do you wish Kigeli V to continue as the Mwami of Ruanda?"

8. *Requests* the United Nations Commission for Ruanda-Urundi, composed of three members elected by the General Assembly on 20 December 1960, hereafter to be designated United Nations Commissioners, to return to Ruanda-Urundi at the earliest possible time to assist and advise the Administering Authority in the full and proper implementation of resolution 1579 (XV) and the present resolution, and to perform the other tasks entrusted to it;

9. *Notes* the information given by the representative of the Administering Authority concerning measures of amnesty already implemented, and recommends that:

(a) Full and unconditional amnesty, as envisaged in resolution 1579 (XV), be immediately granted by the Administering Authority;

(b) The few remaining cases which, in the Administering Authority's view, are guilty of "very grave crimes" be examined by a Special Commission composed of the representatives of three Member States to be elected by the General Assembly, with a view to securing their release from prison or return from abroad in the full implementation of the Assembly's recommendation concerning amnesty not later than two months before the national elections;

10. *Notes* the observations contained in paragraphs 199-203 of the interim report of the United Nations Commission for Ruanda-Urundi and calls upon the Administering Authority to observe strictly its international obligations under the Trusteeship Agreement;

11. *Requests* the Administering Authority to ensure that the material conditions essential to the successful discharge by the United Nations Commissioners of their responsibilities, such as housing, office space, travel facilities, information and the free use of official broadcasting facilities are provided, and that the local authorities co-operate fully with them;

12. *Requests* the United Nations Commission for Ruanda-Urundi to submit a report on the implementa-

<sup>10</sup> See resolution 1514 (XV).

tion of the present resolution to the General Assembly at its sixteenth session;

13. *Decides* to maintain this item on the agenda of the present session, without closing the debate thereon, and authorizes the United Nations Commission for Ruanda-Urundi, in the event that the performance of its duties is hindered through deliberate obstruction or lack of the requisite co-operation from any quarter, to return to United Nations Headquarters and request the President of the General Assembly to reconvene the Assembly immediately to consider further measures essential to the discharge of the United Nations obligations with respect to the Trust Territory of Ruanda-Urundi;

14. *Calls upon* the Administering Authority to rescind Legislative Order No. 221/296 of 25 October 1960, so as to ensure that there is no unwarranted interference with the exercise of public freedom and that no persons may be removed or detained without recourse to due process of law;

15. *Reiterates* its conviction that the best future for Ruanda-Urundi lies in the accession of that Territory to independence as a single, united and composite State;

16. *Considers* that the full implementation of all the provisions of the present resolution will enable the General Assembly at its sixteenth session to consider the termination of the Trusteeship Agreement at the earliest possible date.

*994th plenary meeting,  
21 April 1961.*

#### 1606 (XV). LAND TENURE AND AGRARIAN REFORM IN RUANDA-URUNDI

*The General Assembly,*

*Recalling* that the United Nations Visiting Mission to Trust Territories in East Africa, 1960, stated in its report on Ruanda-Urundi that since the November 1959 disturbances the question of the necessary changes in

the land tenure system has become even more urgent, and that the present position represents an obstacle to lasting peace in the country and impedes the rational utilization of land, without which agriculture and stock-breeding cannot properly develop (T/1538, para. 494),

*Recalling* that the Trusteeship Council at its twenty-sixth session adopted the following recommendation:

“The Council, noting that basic reforms are needed in the land tenure system of the Trust Territory, expresses the hope that the new representative bodies to be constituted in Ruanda-Urundi will give urgent consideration to these problems” (A/4404, part II, chap. II, para. 184),

*Recalling* that the Trusteeship Council and the Committee on Rural Economic Development have in the past made various studies of the problem of population, land utilization and land tenure system in Ruanda-Urundi,

*Bearing in mind* that the majority of the petitioners are agreed that this problem is of vital importance to the Territory,

*Considering* that a satisfactory land tenure system is essential to the peaceful evolution and satisfactory economic development of newly independent territories,

1. *Recommends* that the Administering Authority urgently request the United Nations and the specialized agencies, under the technical assistance programmes, to dispatch an expert mission to study the problem of land tenure and land utilization in Ruanda-Urundi, in co-operation with the local authorities, with a view to determining how far the present system is prejudicial to the Territory's social and economic development, and to recommend corrective measures;

2. *Expresses the hope* that the Technical Assistance Board and the specialized agencies concerned will give favourable consideration to such a request.

*994th plenary meeting,  
21 April 1961.*

### CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 45 which are not reproduced in the present fascicle or its addendum.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/3957	Report of the United Nations Commissioner for the Supervision of the Elections in Togoland under French Administration	<i>Official Records of the General Assembly, Thirteenth Session, Annexes, agenda item 40, addendum</i>
A/4404	Report of the Trusteeship Council (7 August 1959-30 June 1960)	<i>Ibid., Fifteenth Session, Supplement No. 4</i>
A/4520	✓ First report of the General Committee	<i>Ibid., Fifteenth Session, Annexes, agenda item 8</i>
A/4542 and Add.1	Establishment of United Nations information centres in or near Trust Territories: report of the Secretary-General	<i>Ibid., agenda item 46</i>
A/C.4/444 and Add.1-12	Requests for hearings	Mimeographed
A/C.4/460	Statement made by the representative of Belgium at the 1065th meeting of the Fourth Committee	Mimeographed; for summary see <i>Official Records of the General Assembly, Fifteenth Session, Fourth Committee, 1065th meeting, paras. 1-42</i>

Document No.	Title	Observations and references
A/C.4/462	Statements made by the representative of Belgium at the 1077th meeting of the Fourth Committee	<i>Idem</i> , 1077th meeting, paras. 11-28 and para. 32
A/C.4/464	Statement made by the representative of Haiti at the 1086th meeting of the Fourth Committee	<i>Idem</i> , 1086th meeting, paras. 17-44
A/C.4/466	Cable dated 13 December 1960, sent from Kisenyi	<i>Idem</i> , 1091st meeting, paras. 21-24
A/C.4/468 and Add.1-5	Requests for hearings	Mimeographed
A/C.4/472	Statement made by the Chairman of the United Nations Commission for Ruanda-Urundi at the 1106th meeting of the Fourth Committee	For the text of this statement, see <i>Official Records of the General Assembly, Fifteenth Session, Fourth Committee</i> , 1106th meeting, paras. 2-20
A/C.4/473	Statement made by the representative of Belgium at the 1108th meeting of the Fourth Committee	<i>Idem</i> , 1108th meeting, paras. 2-55
A/C.4/474	Statement made by the Chairman of the United Nations Commission for Ruanda-Urundi at the 1112th meeting of the Fourth Committee	<i>Idem</i> , 1112th meeting, paras. 1-23
A/C.4/L.664 and Corr.1 and Add.1	Question of the future of Ruanda-Urundi—Afghanistan, Bolivia, Burma, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iraq, Jordan, Lebanon, Liberia, Morocco, Nepal, Nigeria, Somalia, Sudan, Togo, Tunisia, United Arab Republic and Yugoslavia: draft resolution	See A/4672, para. 14
A/C.4/L.664/Rev.1	Question of the future of Ruanda-Urundi—Afghanistan, Bolivia, Burma, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iraq, Jordan, Lebanon, Liberia, Morocco, Nepal, Niger, Nigeria, Somalia, Sudan, Togo, Tunisia, United Arab Republic, Upper Volta and Yugoslavia: revised draft resolution	Adopted without change. See A/4672, para. 26, draft resolution I
A/C.4/L.666	Question of the Mwami—Burma, Libya, Liberia, Morocco, Nigeria, Senegal, Somalia, Sudan, Togo and Tunisia: draft resolution	See A/4672, para. 21
A/C.4/L.666/Rev.1	Question of the Mwami—Burma, Libya, Liberia, Morocco, Nigeria, Senegal, Somalia, Sudan, Togo and Tunisia: revised draft resolution	Adopted without change. See A/4672, para. 26, draft resolution II
A/C.4/L.667	Financial implications of the draft resolution contained in document A/C.4/L.664 and Corr.1 and Add.1: note by the Secretary-General	Mimeographed
A/C.4/L.668	Draft report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1095th meeting, see A/4672
A/C.4/L.669	Pakistan: amendments to document A/C.4/L.664 and Corr.1 and Add.1	See A/4672, para. 15
A/C.4/L.670	Argentina, Canada, Denmark, Mexico, New Zealand and Sweden: amendments to document A/C.4/L.664/Rev.1	<i>Ibid.</i> , para. 17
A/C.4/L.674 and Add.1	Verbatim record of the discussion on the question of the future of Ruanda-Urundi—Burma, Ghana, Guinea, India, Liberia, Mali and Venezuela: draft resolution	Mimeographed
A/C.4/L.678 and Add.1	Question of the future of Ruanda-Urundi—Afghanistan, Burma, Ceylon, Cuba, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Lebanon, Liberia, Libya, Mexico, Morocco, Mali, Nigeria, Norway, Pakistan, Somalia, Sudan, Tunisia, Upper Volta, United Arab Republic, United States of America and Yugoslavia: draft resolution	See A/4735, para. 17
A/C.4/L.679	Land tenure and agrarian reform in Ruanda-Urundi—Bolivia: draft resolution	Adopted without change. See A/4735, para. 30, draft resolution I
A/C.4/L.680	Poland: amendment to document A/C.4/L.678 and Add.1	See A/4735, para. 18
A/C.4/L.681	Nepal: amendments to document A/C.4/L.678 and Add.1	<i>Ibid.</i> , para. 19
A/C.4/L.682	Bulgaria: amendments to document A/C.4/L.678 and Add.1	<i>Ibid.</i> , para. 20 and footnote
A/C.4/L.682/Rev.1	Bulgaria: revised amendments to document A/C.4/L.678 and Add.1	<i>Ibid.</i> , para. 20
A/C.4/L.683	Draft report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1153rd meeting, see A/4735
T/1141	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Ruanda-Urundi	<i>Official Records of the Trusteeship Council, Fifteenth Session, Supplement No. 2</i>
T/1346	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1957, on Ruanda-Urundi	<i>Ibid.</i> , Twenty-first Session, Supplement No. 3
T/1502	Statement of the Belgian Government on the Policy of Belgium in Ruanda-Urundi, made in the Belgian Parliament on 10 November 1959	Mimeographed

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
T/1538	Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1960, on Ruanda-Urundi	<i>Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3</i>
T/COM . . . / . . .		Documents in this series are mimeographed
T/PET . . . / . . .		Ditto
T/PV.1116	Verbatim record of the 1116th meeting of the Trusteeship Council, held at the twenty-sixth session	Mimeographed



**Agenda item 45: Question of the future of Ruanda-Urundi**

**DOCUMENTS A/4706 AND ADD.1**

**Interim report of the United Nations Commission for Ruanda-Urundi**

***Document A/4706***

*[Original text: French]  
[8 March 1961]*

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<sup>1</sup> Under pressure from nationalist feelings, it has become current practice to use the vernacular forms "Rwanda" and "Burundi" instead of Ruanda and Urundi. The Commission

has adopted those forms, except where the whole of the Territory is spoken of, in which case it has retained the form "Ruanda-Urundi", employed in the Trusteeship Agreement.

LETTER OF TRANSMITTAL DATED 7 MARCH 1961 FROM THE CHAIRMAN OF  
THE UNITED NATIONS COMMISSION FOR RUANDA-URUNDI TO THE  
SECRETARY-GENERAL

Sir,

I have the honour to transmit to you herewith, in accordance with operative paragraph 10 of General Assembly resolution 1579 (XV) and operative paragraph 4 of General Assembly resolution 1580 (XV), both of 20 December 1960, an interim report on Ruanda-Urundi which has been adopted unanimously by the three members of the Commission.

I should be grateful if you would transmit this report to the members of the General Assembly as soon as possible.

(Signed) MAX H. DORSINVILLE  
Chairman of the United Nations  
Commission for Ruanda-Urundi

### I. Preamble

1. The General Assembly adopted two resolutions concerning Ruanda-Urundi on 20 December 1960. Resolution 1579 (XV) related to the question of the future of Ruanda-Urundi, and resolution 1580 (XV) to the question of the Mwami.<sup>2</sup>

2. Resolution 1579 (XV) set up a three-member United Nations Commission with instructions to proceed immediately to Ruanda-Urundi in order to supervise the elections to be held there in 1961 and to attend the political conferences to be convened before and after those elections. Under resolution 1580 (XV), the Commission was also instructed to supervise the referendum on the question of the Mwami. The two resolutions directed the Commission to submit to the General Assembly, at its resumed fifteenth session, an interim report on the implementation of resolution 1579 (XV) and recommendations concerning the timing of the elections and the referendum.

3. On the same date the General Assembly appointed Mr. Max H. Dorsinville (Haiti) Chairman of the Commission, and Mr. Majid Rahnema (Iran) and Mr. Ernest Gassou (Togo), members of the Commission.

4. The Commission went to Belgium on 4 January 1961. After holding conversations with the Belgian authorities at Brussels, it attended the Ostend Conference on Ruanda-Urundi from 7 to 12 January. It then stayed at Brussels from 12 to 27 January, proceeding on 27 January to Ruanda-Urundi, where it remained until 13 February. After a brief stay at Brussels, it returned to New York on 18 February. The circumstances which determined the Commission's itinerary are explained in greater detail in the body of the report.

5. The Commission wishes to thank all those—and more especially the Minister for Foreign Affairs and the Minister for African Affairs—who devoted their time to its affairs and made every effort to supply it with information and facilities.

6. The Commission had very little time in which to prepare its report, which had to be available to the General Assembly on the resumption of its work at the beginning of March 1961. Consequently this report is not as complete as the Commission would have wished. Furthermore, the annexes contain a series of documents which, for lack of time, could not be summarized or

analysed in the body of the report. This report was adopted unanimously by the Commission on 7 March 1961.

### II. Introduction

BRIEF REVIEW OF EVENTS AFFECTING RUANDA-URUNDI BETWEEN THE PERIOD OF THE 1960 VISITING MISSION AND THE ADOPTION OF GENERAL ASSEMBLY RESOLUTIONS 1579 (XV) AND 1580 (XV) (JUNE-DECEMBER 1960)

7. An account of political developments in the Territory up to the spring of 1960 will be found in the report<sup>3</sup> submitted to the Trusteeship Council on 2 June 1960 by the United Nations Visiting Mission to Trust Territories in East Africa, 1960, which went to the Territory in March 1960, and in the report of the Trusteeship Council to the General Assembly (fifteenth session),<sup>4</sup> which sets out the conclusions drawn from the examination of conditions in the Territory made by the Council at its twenty-sixth session in June 1960. Although, for the most part, developments since the visit of the Trusteeship Council Mission to Ruanda-Urundi were brought to the attention of the Fourth Committee during the first part of the General Assembly's fifteenth session (November-December 1960) through statements by the Administering Authority and by petitioners and through various documents (reports, petitions, communications, etc.), a brief review of the most significant events in the period June-December 1960 will be helpful to an understanding of the events of January 1961 which will be referred to in this report.

#### A. RWANDA

##### 1. Meeting on Rwanda, held at Brussels 30 May-7 June 1960

8. The 1960 Visiting Mission had recommended that a round-table conference on Rwanda, Burundi and the community of the two States should be held to discuss the problems of the Trust Territory.<sup>5</sup> It had also recalled that one of the essential conditions for the suc-

<sup>3</sup> Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3.

<sup>4</sup> Official Records of the General Assembly, Fifteenth Session, Supplement No. 4, part II, chap. II.

<sup>5</sup> Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3, paras. 443-457.

<sup>2</sup> The text of these resolutions is reproduced in paragraph 62 below.

cess of a round-table conference or any other attempt at conciliation was the assurance that the participants should indeed be the true representatives of the political parties, even if they happened to be refugees abroad or involved in legal sentences or proceedings connected with recent disturbances in Rwanda.<sup>6</sup>

9. The Belgian Government, after accepting that recommendation in principle, changed its position and decided to convene a small-scale meeting on Rwanda towards the end of May 1960; the aims of such a meeting were national reconciliation, the preparation and organization of communal elections, the study of possible changes in the Interim Decree of 25 December 1959 and the preparation of more general discussions to be held later.<sup>7</sup> As the Visiting Mission was completing its report, it was informed that the Belgian Government had invited the members of the Provisional Special Council of Rwanda to attend a meeting in Brussels on 30 May 1960. It also learned that UNAR (Union nationale rwandaise) had instructed its representatives on the Provisional Special Council to withdraw from the Council and not to participate in the proposed meeting in Brussels.<sup>8</sup>

10. The meeting on Rwanda was held at Brussels from 30 May-7 June 1960, and was attended by senior officials of the Ministry for the Belgian Congo and Ruanda-Urundi, senior officials of Ruanda-Urundi, six of the eight members of the Provisional Special Council of Rwanda and the Mwami's representative on the Provisional Special Council. The two members of the Provisional Special Council of Rwanda who did not participate in the meeting belonged to UNAR.

11. The meeting noted *inter alia* the difficulties of effecting a national reconciliation and made various recommendations which appear in the conclusions of the meeting (annex I).

## 2. Communal elections in Rwanda (26 June-30 July 1960)

12. The original intention had been to hold communal elections in Rwanda at the beginning of June 1960, and the Belgian Government had requested that the elections should be supervised by the United Nations. The Visiting Mission had noted the reasons which had induced the Belgian Government to hold the communal elections in Rwanda as soon as possible. However, while recognizing that it was important not to disappoint the people by delaying the promised elections, it had expressed the opinion that it was even more important that those elections should take place in an atmosphere of calm, freedom and confidence so that the results might not be contested. The Mission had considered it desirable that the work of national reconciliation should be well advanced before the elections were held.<sup>9</sup> The Belgian Government, having subsequently decided to hold separate legislative elections and to request their supervision by the United Nations, felt that the plan to hold the communal elections under supervision had been superseded by events.

13. The Rwanda meeting at Brussels—at which the two representatives of UNAR on the Provisional Special Council had not been present—had approved the time-table for the communal elections. UNAR had decided not to participate in the elections, stating that there was no freedom in Rwanda and that the Administration was playing a partisan role there.<sup>10</sup> Nevertheless, some UNAR lists appear not to have been withdrawn in a few areas.

14. The communal elections were held in Rwanda from 26 June to 30 July 1960. The results were as follows:

<sup>6</sup> *Ibid.*, para. 472.

<sup>7</sup> *Ibid.*, para. 456.

<sup>8</sup> *Ibid.*, para. 472, footnote 37.

<sup>9</sup> *Ibid.*, para. 459.

<sup>10</sup> T/COM.3/L.37 and T/PET.3/L.44.

### Votes cast

District	Census count of able-bodied adult males	Registered	Voting	Percentage
Kigali	55,794	61,280	53,123	86.6
Astrida	81,920	84,357	63,645	75.4
Nyanza	47,902	49,144	28,233	57.4
Gitarama	38,948	40,602	38,649	95.1
Shangugu	35,309	35,804	29,568	82.5
Kibuye	28,098	34,418	27,009	78.4
Ruhengeri	54,850	56,756	54,002	95.1
Kisenyi	44,582	40,650	36,075	88.7
Kibungu	41,206	38,093	11,153	29.2
Biumba	40,020	41,636	36,111	86.7
	468,629	482,740	377,568	78.2

## Councillors elected

District	Total seats	PARME-HUTU	APRO-SOMA	PARME-HUTU / APRO-SOMA coalition	RADER	UNAR	Independents and various other groups
Kigali	378	280	—	—	87	—	11
Astrida	537	237	223	—	28	—	49
Nyanza	321	257	10	—	5	4	45
Gitarama	259	233	—	—	13	1	12
Shangugu	237	—	—	190	11	12	24
Kibuye	190	158	—	—	13	—	19
Ruhengeri	367	359	—	—	4	—	4
Kisenyi	299	257	—	—	6	—	36
Kibungu	270	160	—	—	38	39	33
Biumba	267	259	—	—	4	—	4
	3,125	2,200	233	190	209	56	237
Percentages	100	70.4	7.4	6	6.6	1.7	7.9

PARMEHUTU: Parti du mouvement de l'émancipation hutu; APROSOMA: Association pour la promotion sociale de la masse; RADER: Rassemblement démocratique rwandais; UNAR: Union nationale rwandaise.

15. The Minister for African Affairs had sent a control commission to observe the electoral operations on the spot and to insure the proper conduct of the elections. This commission, which was composed of three Belgian civil servants, published a report on the conduct of the electoral operations, in which it expressed the following conclusion:

"... Having regard to Rwanda's degree of development, the commission considers that the electoral operations were conducted with the maximum safeguards; that propaganda for non-participation in the elections had no appreciable effect, taking the State as a whole; and that the results reflected the will of the people."

16. Various protests concerning the elections were sent to the United Nations.<sup>11</sup> Mwami Kigeli V also submitted a protest.<sup>12</sup>

17. As a result of the elections, communal councils were formed and installed in all communes of Rwanda, and burgomasters were also appointed. Of the 229 communes, 210 had a Hutu, fifteen a Tutsi and three a European *chef de commune*, the post remaining unfilled in one commune. One hundred and sixty-six *chefs de commune* were members of PARMEHUTU, twenty-one of APROSOMA, eighteen of the APROSOMA/PARMEHUTU coalition and seven of RADER, while three represented local interests and thirteen belonged to various other groups.

18. The Trusteeship Council had noted at its twenty-sixth session the assurance of the Administering Authority that the only objective of the communal elections in Rwanda was the choice of communal councillors and burgomasters, and that those elections would be regarded as being of an administrative, rather than political, nature. The Trusteeship Council had considered that those communal elections should not be used as a basis for further elections to national legislatures.

<sup>11</sup> T/COM.3/L.42 and L.43; T/PET.3/L.41, L.48, L.49, L.50, L.51 and L.52; T/PET.3/125, 126, 127 and 129.

<sup>12</sup> T/PET.3/L.39.

### 3. Departure of Mwami Kigeli V of Rwanda (25 July 1960)

19. On 29 June 1960 Mwami Kigeli V went with the Mwami of Burundi and the Resident-General to Leopoldville to attend the celebrations of the Congo's independence. He returned to Usumbura on 2 July.

20. On 25 July Kigeli V again left Usumbura for Leopoldville with the intention of meeting there the Secretary-General of the United Nations and Mr. Bunche, Under-Secretary for Special Political Affairs.

21. The Belgian Minister for African Affairs, in a speech at Usumbura on 17 October 1960, stated *inter alia* that:

"As to the problem of the monarchy, it will be for the people themselves to decide, through their representatives in the institutions of internal self-government to be established in January 1961, what action should be taken in the matter in the higher interest of the State.

"Mwami Kigeli, who has chosen to leave the State, will remain abroad pending that decision."

22. Various communications concerning the Mwami have been addressed to the United Nations.<sup>13</sup>

### 4. Incidents in Rwanda (June-October 1960)

23. A series of incidents in various parts of Rwanda were reported. In June, for example, a great many huts were burned down in the Bufundu area (Astrida district), and a number of people were killed and wounded in the course of the ensuing police operations.

24. Incidents in the Bwanacyambwe chiefdom (Kigali district) in July and August also took their toll of victims.

<sup>13</sup> T/COM.3/L.38, L.39, L.40, L.45 and T/PET.3/L.58, L.59, L.64, L.67, L.68, L.73, L.75, L.82, L.86, L.89, L.95-L.97 and L.101.

25. In August and September further serious incidents took place in the Astrida area and in the Mayaga chiefdom (Nyanza district).

26. In October there were serious incidents in the Shangugu district and many inhabitants, most of whom were Tutsi, fled to the Bukavu area of the Congo.

27. The United Nations received a number of petitions and communications concerning these incidents.<sup>14</sup>

#### 5. *Provisional Councils and Governments of Rwanda* (October 1960)

28. In the course of his visit to Ruanda-Urundi, the Belgian Minister for African Affairs state *inter alia* on 17 October 1960 that:

"Institutions of internal self-government will be set up as a result of legislative elections which will be held in the presence of United Nations observers in the second half of January 1961. In the meantime, provisional institutions—a Government and an Assembly—will be set up immediately and will manage public affairs in collaboration with the Administering Authority. These institutions should be so composed as to afford adequate representation of the different political movements and the ethnic composition of the State. This representation will be determined largely in the light of the results of the elections held last July."

29. A Council of forty-eight nominated members and a Provisional Government were established by Legislative Order No. 221/275 of 18 October (annex XXVIII).

30. The forty-eight members were appointed by Legislative Order No. 221/276 of the same date. This Council was installed at Kigali on 26 October 1960. Mr. Joseph Gitera Habyarimana was elected its President.

31. By Order No. 221/279 of 20 October 1960, the Resident-General appointed Mr. Grégoire Kayibanda Head of the Provisional Government of Rwanda.

32. On 26 October 1960 it was announced that the Government would consist of:

Mr. Grégoire Kayibanda: *Head of the Provisional Government and Minister for Education*;

Mr. Isidore Nzeyimana: *Secretary of State for Education*;

Mr. Jean-Baptiste Rwasibo: *Minister for the Interior*;

Mr. Charles Lees: *Secretary of State*;

Mr. Anastase Makuza: *Minister for Justice*;

Mr. F. Ackerman: *Secretary of State*;

Mr. Hubert Bovy: *Minister for Social Affairs*;

Mr. Claver Ntayao: *Secretary of State*;

Mr. Narcisse Sekerere: *Minister for Technical Affairs*;

Mr. Holsters: *Secretary of State*;

Mr. Balthazar Bicamumpaka: *Minister for Agriculture*;

Mr. Arthur Dubois: *Secretary of State*;

Mr. Joseph Deman: *Minister for Economic Affairs*;

Mr. Augustin Ndayambaye: *Secretary of State*;

Mr. Thadée Gatsimbanyi: *Minister for Refugees*;

Mr. Emmanuel de Jamblinne de Meux: *Secretary of State*;

Mr. Cyimana: *Minister for Finance*;

Mr. Jacques Dens: *Secretary of State*.

33. Thus the Government was composed of nine Ministers, two of whom were Europeans. Six of the nine Secretaries of State were Europeans.

34. The African Ministers were members of PAR-MEHUTU apart from two (Mr. Sekerere and Mr. Gatsimbanyi) who were members of RADER but had been disowned by their party.

35. Communications concerning the establishment of the Provisional Government have been addressed to the United Nations.<sup>15</sup>

#### 6. *Communal organization* (October 1960)

36. Legislative Order No. 221/277 of 18 October 1960 superseded the interim provisions of the Decree of 25 December 1959 concerning the provisional communes and their organization.

37. The basic principle of this entire system was communal self-government: the burgomaster and communal council were competent to deal with all matters of local concern. This self-government was subject to a right of administrative supervision over the communes, exercised in some cases by the central authorities themselves (Government and Chief of State) and in others by their representative (the district administrator).

#### 7. *Meeting at Kisenyi* (7-13 December 1960)

38. A meeting was held at Kisenyi from 7 to 13 December 1960 for the purpose of preparing the electoral legislation for the legislative elections in Rwanda and the institutions of internal self-government. It was attended by senior officials of Belgium and Ruanda-Urundi, the Prime Minister, four Ministers and one Secretary of State of the Provisional Government of Rwanda (i.e., three members of PARMEHUTU, one each of RADER and APROSOMA, and one European), seven representatives of PARMEHUTU, two of UNAR, two of RADER and two of APROSOMA. The UNAR and RADER representatives had protested against the inadequacy of their representation.

39. The conclusions and recommendations of the meeting are set forth in a document (annex II) signed by the representatives of the Provisional Government of Rwanda, the representative of the Belgian Minister for African Affairs and the representatives of the political parties.

40. When the conclusions of the meeting were brought to the notice of the Fourth Committee (A/C.4/466), a petitioner questioned whether the recommendations of the meeting had in fact been approved by UNAR and RADER. A communication<sup>16</sup> from the representatives of these parties explained that there had been no unanimity regarding the date of the elections.

#### B. BURUNDI

##### 1. *Meeting on Burundi held at Brussels* 23-31 August 1960

41. A small-scale meeting to discuss the problems and political future of Burundi was held at Brussels from 23 to 31 August 1960.

<sup>14</sup> T/COM.3/L.39, L.41, L.45, L.46; T/PET.3/L.60, L.61, L.88 and T/PET.3/130, 131.

<sup>15</sup> T/PET.3/L.64, L.66, L.67, L.73 and T/PET.3/129.

<sup>16</sup> T/PET.3/L.86.

42. Four of the five members of the Interim Committee of Burundi participated (the fifth was ill). Thirteen political parties were represented.

43. High officials of the Belgian Ministry of African Affairs and high officials of Ruanda-Urundi also took part. Mwami Mwambutsa attended the opening and closing of the meeting.

44. The meeting considered three sets of plans, covering the arrangements for the communal elections, the organization and establishment of new administrative structures (commissionerships (*commissariats*) and provinces), and the problem of the administration of the town of Usumbura.

45. By 11 votes to none, with 6 abstentions, the meeting recommended that the following words should be added to the Decree of 25 December 1959:

"Relatives and connexions of the Mwami, within two degrees of relationship, may not receive an electoral mandate, hold political office or take part in any political activity."

## 2. Establishment of Commissionerships (September 1960)

46. The first six Commissionerships (*commissariats*) of the State of Burundi were set up by an Ordinance of 9 September 1960, and the incumbents were appointed as follows: Commissioner for Finance and the Budget, Mr. Léopold Bihumugani; Commissioner for Agriculture, Mr. Pierre Bigayimpunzi; Commissioner for Personal and Administrative Disputes, Mr. Emmanuel Nigane; Commissioner for Land Questions, Mr. Gérard Bitorirobe; Commissioner for Medical Affairs, Mr. Paul Baganzicaha; Commissioner for Justice, Mr. Henri Kana.

47. On 26 October, three new Commissionerships were set up: Public Works (Mr. Joseph Cimpaye); Veterinary Affairs (Mr. Laurent Zuruzuru) and Social Affairs (Mr. Pascal Rishirohmwe).

48. In accordance with the Organic Ordinance of 21 July 1960 establishing the State Commissionerships, the Resident and the Mwami had been asked for their opinions before the appointments were made. Mwami Mwambutsa had, by cable from Belgium, approved all the appointments.

49. The system of Commissioners invested with mainly political functions was put forward as the embryo of what, after and by virtue of the legislative elections, was to become the Government of the State. Each Commissioner was assisted by a permanent secre-

tary, who was a member of the Administration. The permanent secretaries, whose business it was to direct the technical services made available to the Commissioners, were appointed soon afterwards.

## 3. Establishment of Provinces (September 1960)

50. By a Legislative Order of 26 September 1960, the thirty-seven chiefdoms of Burundi were abolished and replaced by eighteen Provinces. Each Province had an indigenous Provincial Administrator who, had passing a qualifying examination, was appointed by the Resident-General on the advice of the Resident of Burundi and the Mwami. The Provincial Administrator was assisted by a Deputy Provincial Administrator, a secretary and a provincial agronomist, all indigenous. A European counsellor was attached to each of these teams. Provincial Administrators were expected to take over, as quickly as possible, the existing duties of European territorial administrators.

51. The chiefs and sub-chiefs, whose functions were thus abolished, receive a pension.

## 4. The placing of Muganwa Rwagasore in prescribed residence

52. By an Ordinance of 27 October 1960, issued under the Legislative Order of 25 October 1960 (see paragraphs 58 and 59), the Resident-General assigned to Muganwa Louis Rwagasore, a residence at Bururi in a house provided for him by the Administration.

53. Louis Rwagasore is the son of the Mwami of Burundi and is one of the main leaders of the UPRONA party. It was explained that this step had been taken after the successive failure of all attempts to persuade him to maintain the reserve suitable to his position as son of the Mwami. In that connexion, it was recalled that the Brussels meeting had expressed the view that close relatives of the Mwami should not take part in political activity. This supervised residence was brought to an end on 9 December 1960, immediately after the communal elections. It had been the subject of communications to the United Nations.<sup>17</sup>

## 5. Communal elections in Burundi (15 November-8 December 1960)

54. The following are the results of the communal elections held in Burundi from 15 November to 8 December 1960:

<sup>17</sup> T/COM.3/L.47, T/PET.3/L.72, T/PET.3/132.

### Votes cast

District	Census count of able-bodied adult males	Registered	Voting	Percentage
Ruyigi	29,128	30,592	26,408	86.3
Rutana	19,979	22,369	18,054	80.7
Bubanza	64,170	65,246	58,458	89.5
Bururi	46,150	51,655	44,371	85.8
Ngozi	87,815	103,752	80,427	77.5
Muhinga	57,013	66,435	47,462	71.4
Kitega	83,495	91,281	79,254	86.8
Muramvya	41,768	49,731	44,592	89.6
Usumbura	14,732 <sup>a</sup>	3,781	3,233	85.5
	444,250	484,842	402,259	83

<sup>a</sup> Including aliens.

*Councillors elected*

<i>District</i>	<i>Total seats</i>	<i>PEP</i>	<i>PDR</i>	<i>UNB</i>	<i>MPB</i>	<i>Int. com.</i>	<i>PDC</i>	<i>UPRONA</i>	<i>RPB</i>	<i>HTT</i>	<i>PP</i>	<i>VPM</i>	<i>UNARU</i>	<i>PC</i>	<i>MRB</i>	<i>AB</i>	<i>PTB</i>
Ruyigi ..	194	—	90	43	30	16	13	2	—	—	—	—	—	—	—	—	—
Rutana .	133	—	15	52	—	1	23	—	24	10	8	—	—	—	—	—	—
Bubanza	430	—	16	—	—	48	186	78	81	—	13	4	1	1	2	—	—
Bururi .	306	—	1	—	—	36	117	82	4	—	24	—	1	—	41	—	—
Ngozi ..	581	—	195	—	—	32	255	76	—	—	8	—	2	—	—	13	—
Muhinga..	379	—	70	—	—	12	175	114	—	—	—	6	2	—	—	—	—
Kitega .	556	5	73	53	—	107	154	16	—	—	145	—	—	—	—	—	3
Muramvya	279	—	42	9	—	39	1	165	—	—	23	—	—	—	—	—	—
Usumbura	15	—	—	—	—	1	—	12	—	—	—	2	—	—	—	—	—
	2,873	5	502	157	30	292	924	545	109	10	221	12	6	1	43	13	3

PEP = \*Parti de l'émancipation populaire  
PDR = \*Parti démocratique rural  
UNB = \*Union nationale du Burundi  
MPB = \*Mouvement progressiste du Burundi  
Int. com. = Communal interests  
PDC = \*Parti démocrate chrétien  
UPRONA = Unité et progrès national  
RPB = \*Rassemblement populaire du Burundi

HTT = Parti hutu, tutsi, twa  
PP = \*Parti du peuple  
VPM = Voix du peuple murundi  
UNARU = Union nationale africaine du Ruanda-Urundi  
PC = Parti conservateur  
MRB = \*Mouvement rural du Burundi (party of the Ab' Hamahuru)  
AB = \*Parti des Abanyamajambere  
PTB = Parti des travailleurs Burundi

\* Common Front (Front commun).

55. A Commission of three Belgians, appointed by the Belgian Minister for African Affairs, observed the conduct of the electoral campaign and the operations, and concluded in its report "that it found that the elections had been conducted with the greatest possible impartiality, considering the almost complete illiteracy of the population, its immaturity and lack of firm political convictions, and that they seemed to have duly reflected the will of the electors at the time when they had been held".

6. *Meeting on Burundi,  
held at Kitega (16-20 December 1960)*

56. A meeting on Burundi was held at Kitega from 16 to 20 December 1960. It was attended by representatives of the Belgian Administration, by the State Commissioners, by the members of the interim committee and by delegations from the main political parties.

57. At these talks, the setting up of organs of internal autonomy and the holding of elections in Burundi were discussed. A summary of the meeting's conclusions has been published (annex III).

C. RUANDA-URUNDI

1. *Legislative Order of 25 October 1960  
on trusteeship powers*

58. On 25 October 1960, the Resident-General issued a Legislative Order designed, as its preamble shows, to define the trusteeship powers of the Belgian authority until Rwanda and Burundi became independent.

59. This Order (annex XXIX) allows the Resident-General and his subordinates to suspend or annul the acts of local authorities and local councils; it gives them the right, among other things, to order the removal of persons, to place them under supervision or to intern them, to forbid or restrict meetings, to forbid or restrict movement, to forbid or suspend associations and publi-

cations, to suspend the dispatch and delivery of mail, to order searches, etc.

2. *Abolition of the emergency régime*

60. On 14 November 1960, three weeks after the issue of the Legislative Order of 25 October 1960, the Resident-General, by Ordinance No. 01/322, ended the state of emergency which had been declared in Rwanda on 11 November 1959 and in Burundi on 12 July 1960.

III. **General Assembly resolutions 1579 (XV) and 1580 (XV)**

61. The question of the future of Ruanda-Urundi was a special item (item 45) on the agenda of the fifteenth session of the General Assembly. After long discussions in the Fourth Committee, in which statements were made by the representative of Belgium and by sixteen petitioners representing various political parties of Rwanda and Burundi, the General Assembly adopted, at the 960th plenary meeting on 20 December 1960, two resolutions.

62. The following are the texts of these resolutions:

1579 (XV). QUESTION OF THE FUTURE OF  
RUANDA-URUNDI

*"The General Assembly,*

*"Having received the reports of the Trusteeship Council and of the United Nations Visiting Mission to Trust Territories in East Africa, 1960, on the Trust Territory of Ruanda-Urundi called for under General Assembly resolution 1419 (XIV) of 5 December 1959,*

*"Noting from the report of the Trusteeship Council that it is the Administering Authority's intention to hold early in 1961 elections on the basis of universal adult suffrage, and under the supervision of the*

United Nations, for the purpose of constituting national assemblies for Ruanda and Urundi,

*"Noting further* the statement of the Administering Authority that the elections are scheduled to begin on 15 January 1961, and its invitation to the United Nations to send a mission to Ruanda-Urundi about 15 December 1960 to see the actual implementation of the arrangements for the elections, such as the composition of the electoral rolls, the course of the election campaign and the organization of the poll,

*"Being conscious* of its responsibility to ensure that the supervision of the elections by the United Nations is effective, and that the elections, which will furnish the basis for the Territory's independence, are held in proper conditions so that their results are completely free of doubt or dispute,

*"Having heard* the views of the petitioners belonging to various political parties and groups of Ruanda-Urundi,

*"1. Considers* that the necessary conditions and atmosphere must be brought about expeditiously to ensure that the legislative elections, which will lead to the establishment of national democratic institutions and furnish the basis for the national independence of Ruanda-Urundi in accordance with the principles and purposes of the Charter of the United Nations, take place in an atmosphere of peace and harmony;

*"2. Urges* the Administering Authority to implement immediately measures of full and unconditional amnesty, and to abolish the emergency régime so as to enable political workers and leaders who are in exile or imprisoned in the Territory to resume normal, democratic political activity before the elections;

*"3. Considers* that the expeditious return and rehabilitation of thousands of victims of recent disturbances in Ruanda who were compelled to take refuge away from their homes in Ruanda or abroad will assist the process of reconciliation, and urges the Administering Authority and the local authorities concerned to adopt all possible means to that end;

*"4. Recommends* that a conference fully representative of political parties, attended by United Nations observers, should be held early in 1961, before the elections, in order to compose the differences between the parties and to bring about national harmony;

*"5. Appeals* to all parties and political leaders of Ruanda-Urundi to exert their efforts to achieve an atmosphere of understanding, peace and harmony for the good of their Territory and people as a whole on the eve of independence;

*"6. Calls upon* the Administering Authority to refrain from using the Territory as a base, whether for internal or external purposes, for the accumulation of arms or armed forces not strictly required for the purpose of maintaining public order in the Territory;

*"7. Recommends* that the elections scheduled to be held in January 1961 should be postponed to a date to be decided on at the resumed fifteenth session of the General Assembly in the light of the recommendations of the Commission referred to in paragraph 8 below, so that, in addition to the fulfilment of the purposes of the preceding paragraphs of the present resolution, the arrangements for the elections can be completed under the supervision of the United Nations;

*"8. Decides* to set up a United Nations Commission for Ruanda-Urundi, composed of three members, who will be assisted by observers and staff to be appointed by the Secretary-General in consultation with the Commission;

*"9. Requests* the Commission to proceed immediately to Ruanda-Urundi to perform the following tasks on behalf of the United Nations:

*"(a)* To supervise the elections to be held in Ruanda-Urundi in 1961 on the basis of direct, universal adult suffrage, and the preparatory measures preceding them, such as the compilation of the electoral rolls, the conduct of the election campaign and the organization of a system of balloting which will ensure complete secrecy;

*"(b)* To attend, as United Nations observers, the political conference envisaged in paragraph 4 above and the round-table conference to be convened after the elections to determine the future evolution of the Territory towards independence;

*"(c)* To follow the progress of events in the Territory before and after the elections, to lend its advice and assistance, as appropriate, with a view to advancing peace and harmony in Ruanda-Urundi, and to report to the Trusteeship Council or the General Assembly, as necessary;

*"10. Requests* the Commission to submit an interim report on the implementation of the present resolution to the General Assembly at its resumed fifteenth session;

*"11. Endorses* the observation of the Trusteeship Council that, in view of the essential community of interests and the facts of history and geography, the best future for Ruanda-Urundi lies in the evolution of a single, united and composite State, with such arrangements for the internal autonomy of Ruanda and Urundi as may be agreed upon by their representatives."

#### 1580 (XV). QUESTION OF THE MWAMI

*"The General Assembly,*

*"Considering* that a division of opinion has arisen in Ruanda-Urundi with regard to the institution of monarchy and with regard to the person of the present Mwami of Ruanda,

*"Considering further* that such a situation poses a constitutional question of far-reaching importance which should be settled in accordance with the freely expressed wishes of the peoples of the Territory,

*"Noting* that, on several occasions, the Mwami has stated his desire to be a democratic and constitutional sovereign,

*"Noting further* that the Mwami of Ruanda, in a memorandum to the United Nations Visiting Mission to Trust Territories in East Africa, 1960, has accepted the idea of a referendum to decide this question,

*"Having perused* the statement of the Mwami to the Fourth Committee,

*"1. Notes with regret* that the Administering Authority has arbitrarily suspended the powers of the Mwami of Ruanda and has not allowed him to return to Ruanda to resume his duties as Mwami;

*"2. Requests* the Administering Authority to revoke the measures adopted by it to suspend the powers of the Mwami, and to facilitate his return

to Ruanda to enable him to function as Mwami pending the ascertainment of the wishes of the people on this question;

"3. *Decides* that a referendum should be held under the supervision of the United Nations Commission for Ruanda-Urundi established under General Assembly resolution 1579 (XV) of 20 December 1960, in order to ascertain the wishes of the people concerning the institution of the Mwami, and, if necessary, the present Mwami of Ruanda;

"4. *Requests* the United Nations Commission for Ruanda-Urundi, after studying the situation on the spot, to submit to the General Assembly at its resumed fifteenth session, recommendations concerning the timing of the referendum and the questions to be put therein."

63. On December 1960, the Chairman of the United Nations Commission sent a letter (annex IV) to the Permanent Representative of Belgium to the United Nations, asking for information as to the action which the Belgian Government intended to take on these resolutions, so that the Commission could draw up its plan of work. The letter pointed out that, because of the terms of operative paragraph 7 of resolution 1579 (XV), the Commission could not discharge its responsibilities for supervision laid down in operative paragraph 9 (a) if the elections took place before the General Assembly resumed its fifteenth session, which it was expected to do on 7 March 1961.

64. A Note from the Permanent Representative of Belgium (annex V) of the same date, addressed to the Secretary-General, crossed that letter. The Note stated that the Belgian Government had decided to hold a conference in Belgium, on 6 January 1961, at which the constituted authorities and political parties of Ruanda-Urundi would be represented. The agenda would include a consideration of the problem of national reconciliation, the union of Rwanda and Burundi and the preparation of elections. The Note expressed the Belgian Government's hope that the members of the Commission would attend the conference as observers.

65. The Chairman of the Commission, Mr. Dorsinville, and Mr. Rahnema left New York on 4 January 1961 for Brussels, where Mr. Gassou joined them on 5 January 1961.

#### **IV. Events subsequent to the adoption of General Assembly resolutions 1579 (XV) and 1580 (XV), and work of the Commission**

##### **A. THE OSTEND CONFERENCE**

66. On 5 and 6 January 1961, during the two-day stay at Brussels, the Commission made informal contact with the Minister for Foreign Affairs, the Minister for African Affairs, and officials of those Ministries. It then proceeded to Ostend where, on 7 January, the political Conference on Rwanda and Burundi was opened under the chairmanship of Mr. Van den Abeele, Secretary-General of the Ministry of African Affairs.

67. Since the Belgian Government regarded the Conference as a logical follow-up to the Kisenyi and Kitega talks, the composition of the Ruanda-Urundi delegations was similar to that of the delegations which had taken part in those talks. The participants in the Conference included, in addition to the Chairman, ten representatives of the Administering Authority, eight

representatives of the Provisional Government and the Council of Rwanda, eight State Commissioners of Burundi, two representatives of the Interim Committee of Burundi, twelve representatives of the four main political parties of Rwanda and ten representatives of the six main political parties of Burundi.

68. The number of seats allocated to each party was to a large extent based on the results of the communal elections, as had been the case for the previous talks. Thus, for Burundi, PDC, which had won 924 of the seats for communal councillors, was represented at Ostend by three delegates; PDR and UPRONA, with 502 and 545 seats respectively, by two delegates each; and three other parties (PP, RPD and UNB), which had won between 109 and 221 seats, by one delegate each. Nine other political parties which had obtained less than 50 seats in the communal elections were not represented at Ostend. The same principle was followed with regard to the Rwanda political parties: there were six representatives of PARMEHUTU, and two representatives each of APROSOMA, RADER and UNAR.

69. This representation took no account of the political affiliation of those attending the conference in some other capacity—for example, as members of the Provisional Government and Council of Rwanda, members of the Burundi Interim Committee, or Commissioners of Burundi. If such affiliations are taken into account, in the case of Rwanda, PARMEHUTU was represented *de facto* by nine persons, APROSOMA by four, and RADER and UNAR by two each. This gave rise to strong protests by the representatives of the two last-mentioned parties, which had, at the beginning of the meeting, asked for the participation of other leaders of their parties. Ultimately, on the last day of the Conference, they absented themselves from the meetings.

70. The Conference opened with a statement by the Minister for African Affairs (annex VI). Reviewing the programme for the political development of the Territory, he announced that the Belgian Government had recently fixed the exact dates for the holding of the legislative elections: 18 January 1961 for Burundi, and 23 January 1961 for Rwanda. Thereafter, at an appropriate time, probably in May or June 1961, a further round-table conference would be held at which the autonomous Governments of Rwanda and Burundi would meet with the Administering Authority to decide on the Territory's accession to independence and on any future political or economic union between Rwanda and Burundi. The proposals approved at that conference would then be submitted to the Trusteeship Council and to the General Assembly at its sixteenth session. The Minister added that the most careful consideration would undoubtedly be given to General Assembly resolutions 1579 (XV) and 1580 (XV) adopted on 20 December 1960, as factors calculated to help Belgium in bringing its mission of trusteeship to a successful conclusion; he recalled that resolution 1579 (XV) had expressly provided for the holding of a conference fully representative of political parties and attended by United Nations observers, and that the present Conference had been convened in response to that resolution.

71. Before the opening of the first business meeting, the Chairman of the Conference, who had received a request from the Chairman of the United Nations Commission for a hearing, challenged the legitimacy of that request, giving a restrictive interpretation of

the observers' role and stating that, since the Belgian Government had not yet made known its position with regard to General Assembly resolutions 1579 (XV) and 1580 (XV), in his view the members of the Commission had been invited to attend the conference as individual observers and not as a commission. He even added that any statement which they might make would tend to influence the discussions.

72. The Commission expressed its disagreement with that standpoint. It stated that it would abstain from taking part in the talks so long as the point at issue had not been settled to its satisfaction. The Chairman of the Conference deemed it necessary to refer the question to the Minister for Foreign Affairs at Brussels, and this delayed the Conference's work by one day. The Chairman of the United Nations Commission was then able to make a preliminary statement (annex VIII) in which he referred to General Assembly resolutions 1579 (XV) and 1580 (XV) and explained clearly that, if the recommendation concerning the date of the elections was not accepted, the Commission would be unable to carry out its task of supervision. Subsequently, he made further statements (annexes IX and X), in which he provided the necessary clarification and gave explanations to ensure that all participants fully understood the General Assembly's recommendations.

73. The position of the Administering Authority was clearly set forth in a preliminary address by the Chairman of the Conference (annex VII). He stated that, even if General Assembly resolutions 1579 (XV) and 1580 (XV) were from a legal standpoint recommendations, it did not necessarily follow that Belgium was obliged to comply with them. He also emphasized that, while Belgium had taken a stand against those resolutions in the General Assembly, it had thought it well to convene the conference to enable the representatives of the peoples concerned to express their views freely. He concluded by stating that the Belgian Government would take a decision based on the conclusions reached by the conference, within the week following its closure.

74. With regard to the first point raised by the Chairman of the Conference, the Chairman of the United Nations Commission drew attention to article 7 of the Trusteeship Agreement, under which Belgium had undertaken to apply to Ruanda-Urundi the provisions of all present or future international conventions and recommendations which might be appropriate to the particular conditions of the Territory and which would be conducive to the achievement of the basic objectives of the International Trusteeship System.

75. The Chairman of the Conference replied that the Conference's essential aim was precisely to discover how far the recent recommendations by the General Assembly corresponded to the wishes of the peoples in the Trust Territory.

76. The Conference then began discussion of the three items on its agenda: (a) the question of the date of the legislative elections; (b) the question of the services common to Rwanda and Burundi, and (c) the problem of reconciliation in Rwanda. At the end of the Conference, a summary of the debates on each of these items was approved by the participants (annex XI).

77. From the outset, it was clear that there was little likelihood of reaching agreement on the date of the elections or of making any progress towards reconcilia-

tion. The hostility between Rwanda representatives with opposing political views was obvious; the debate was heated, and unfortunate references were constantly made to the past. It was clear that many participants misunderstood the motives underlying the adoption of the General Assembly resolutions, and that they had arrived for the Conference in a spirit of defiance towards the United Nations.

78. Speaking on the first item of the agenda, the representatives of PARMEHUTU, APROSOMA and the Provisional Government and Council of Rwanda categorically rejected any postponement of the elections to a date later than January. Various reasons were put forward to justify this attitude; in particular, it was stated that a sufficiently long period of self-government was necessary to prepare for independence, and that any protraction of a provisional régime would cause a recurrence of disorder in the country. On the other hand, the representatives of RADER and UNAR stressed that the General Assembly's recommendations should be respected and that a preparatory period was necessary to ensure effective supervision of the elections. Opinion among the representatives of Burundi was also divided. The members of the Front commun wanted elections in January, whereas the representatives of UPRONA, in particular, insisted that time should be allowed for the organization of the electoral campaign and that guarantees should be given against any abuses, like actions *ultra vires* and the exertion of influence by the provincial administrators, such as had, in their view, occurred during the communal elections. One representative also emphasized that, in order to ensure free elections, it was necessary to revoke the powers enjoyed by the Administration in virtue of the legislation of 25 October 1960, under which it could subject individuals to supervised residence and take other measures to restrict political freedom.

79. The discussion on the question of reconciliation in Rwanda was held in the absence of the Burundi delegates, and added little to the conclusions of the Kisenyi talks. Apparently little more could be expected from the same group of representatives which had already discussed this problem at Kisenyi less than a month previously. The Head of the Provisional Government and the other members of PARMEHUTU and APROSOMA considered that the best condition for national reconciliation was the existence of an elected and stable Government, which alone could restore peace in the State. In their opinion, the continuation of a provisional régime created a state of tension which was an obstacle to reconciliation. During the discussion, Mr. Gitera, President of the Council of Rwanda and founder of APROSOMA, suggested that if the elections were to be postponed until a future date all the existing provisional institutions should be made final until these elections; but he later said that, having consulted his political colleagues, he withdrew this proposal and that only immediate elections could be considered a democratic solution.

80. Mr. Ndazaro, representative of RADER, said that the essential problem was the fact that a régime entirely dominated by the Tutsi had been replaced by another régime in which all power was in the hands of a single party, PARMEHUTU, consisting of Hutu. In order to arrive at a more democratic state of affairs, he proposed that the Ministries should be equally distributed between the four political parties and that membership of the Rwanda Council and posts in the

army, the police and the judicial organization should be divided between the two ethnic groups, on the principle of one-third Tutsi and two-thirds Hutu. This proposal was rejected by the representatives of the Provisional Government, of APROSOMA and of PARMEHUTU, who considered that ethnic considerations could not form the basis for a reconciliation.

81. As for the question of the Mwami of Rwanda, it was clear that no compromise was possible. The representatives of RADER and of UNAR insisted that the referendum should be held as proposed in General Assembly resolution 1580 (XV). On the other hand, the representatives of APROSOMA and PARMEHUTU were irrevocably opposed to the return of the Mwami. According to Mr. Kayibanda, Head of the Provisional Government, the question of the future of the monarchy should be settled solely by the permanent authorities which would be set up as a result of the elections.

82. The discussion on the problem of reconciliation closed with a review of the conclusions already adopted at the Kisenyi talks. The representatives of UNAR and RADER were not present at the last meetings, as a protest against the refusal to adjourn the discussions so as to enable them to consult certain leaders of their parties who had not been invited to the Conference. The other participants, in particular the representatives of APROSOMA, PARMEHUTU and the Provisional Government and Council of Rwanda, confirmed their desire to implement the conclusions reached at Kisenyi.

83. On the question of the future community relations of Rwanda and Burundi, all the participants agreed that final decisions could be taken only by the Governments finally set up as a result of the elections. However, in view of the urgency of the matter, the representatives of Burundi proposed the creation of a joint commission of the two countries, to study common economic problems and prepare a report for submission to those Governments. This proposal was supported by the representatives of UNAR and RADER but was rejected by the other representatives of Rwanda. In the absence of agreement, it was provisionally resolved to take no decision and to leave the study of the question of common services to the Ministers of the Government of Rwanda and to the Commissioners of Burundi.

#### B. EVENTS DURING THE VISIT OF THE COMMISSION TO BRUSSELS (12-27 JANUARY 1961)

84. The Ostend Conference ended on 12 January 1961 and the Commission proceeded to Brussels to exchange views with the Minister for Foreign Affairs and the Minister for African Affairs. The Ministers wished to obtain first-hand information as to the Commission's point of view, in order that the Belgian Government might be able to take its decision on the date of the elections in full knowledge of the facts.

85. On 21 January 1961, after a long discussion with the Minister for Foreign Affairs and the Minister for African Affairs, the Commission was informed that the Belgian Government finally agreed to follow the recommendations contained in General Assembly resolutions 1579 (XV) and 1580 (XV) regarding the postponement of the elections to a later date and the organization of a referendum on the Mwami. This decision was officially confirmed in a letter dated 25 January 1961 (annex XIII) addressed to the Chairman

of the United Nations Commission by the Minister for Foreign Affairs, which in fact constituted a reply to the former's letter of 27 December 1960. As regards the date of the elections, the Minister stated that the Belgian Government had been faced with the dilemma, either of failing to fulfil its undertakings towards the local population, or of failing to follow the General Assembly's recommendation. While agreeing to postpone the elections, it hoped that they would be held as soon as possible after the resumption of the General Assembly session.

86. Once informed of this decision, the Commission expressed its desire to return to Ruanda-Urundi without delay, in accordance with its mandate. Although it was informed that the local administration would not be in a position to provide it with accommodation at Usumbura before 30 January 1961, it adhered to its decision to depart immediately and left Brussels on 27 January, to reach the Territory on 28 January.

87. While the Commission had been in Brussels, awaiting the decision of the Belgian Government, as explained above, important events were taking place in Ruanda-Urundi, of which the Commission only subsequently learnt.

88. On his return from the Ostend Conference, the Resident-General had signed on 15 January 1961 two Legislative Orders and two Ordinances based on the conclusions of the Kisenyi and Kitega talks. The Legislative Orders, No. 02/16 (annex XXX) and No. 02/18 (annex XXXII), dealt with the institutions of Rwanda and Burundi, respectively. The Ordinances, No. 02/17 (annex XXXI) and No. 02/19 (annex XXXIII), governed the organization of legislative elections in Rwanda and in Burundi.

89. According to the explanations later given to the Commission, the Ostend Conference had apparently given rise to an atmosphere of unrest and political tension in Ruanda-Urundi, and the decision of the Belgian Government to postpone the elections had been regarded by several political leaders, particularly in the PARMEHUTU and APROSOMA parties in Rwanda, as a betrayal. To offset this, it had been decided to grant to the two States, immediately, the degree of self-government envisaged in the Legislative Orders Nos. 02/16 and 02/18 of 15 January 1961 without awaiting the legislative elections. In the case of Rwanda, this was done by Legislative Order No. 02/27 of 25 January 1961 (annex XXXIV) conferring autonomous powers on the Provisional Government and Council of Rwanda (which had been set up in October 1960).

90. For Burundi, where no such provisional bodies existed, measures were taken to set up interim autonomous institutions for the period running until the establishment of the permanent structures stemming from the legislative elections. On 26 January the Resident-General signed Legislative Order No. 02/29 (annex XXXVI) setting up an interim Government in Burundi, and Ordinance No. 02/28 (annex XXXV) appointing a Prime Minister and four Ministers whose powers had been specified in Legislative Order No. 02/18 of 15 January 1961. The five Ministers, including the Prime Minister, were leaders of political parties affiliated to the Front commun: Mr. Joseph Cimpaye (UNB), Prime Minister and Minister of Justice and Recruitment; Mr. Jean-Baptiste Ntidendereza (PDC), Minister for the Interior; Mr. Pierre Bigayimpunzi (PDR), Minister for Natural Resources; Mr. Em-

manuel Nigane (PP), Minister for Social Affairs; and Mr. Paul Biganzicaha (PDC), Minister for Technical Affairs. A sixth department—Finance—was offered to Mr. Bihumugani (UPRONA), but he accepted this post only later and in a personal capacity, since his party had refused to take part in the new Government.

91. On the next day, 27 January 1961, the Resident-General signed a further Legislative Order, No. 02/30 (annex XXXVII), setting up an Interim Council of Burundi, composed of sixty-four members, each elected by a body formed from the assembly of two or more communal councils.

92. These indirect elections were held on 29 January 1961, the day after the Commission's arrival at Usumbura.

#### C. EVENTS DURING THE COMMISSION'S STAY IN RUANDA-URUNDI

93. When the Commission arrived at Usumbura on Saturday, 28 January 1961, it was completely unaware of the political events which had taken place after the Ostend Conference and which were still occurring in the Territory. It learned of them only later through the Press and radio.

94. On the very day of the Commission's arrival, all the burgomasters and communal councillors of Ruanda were meeting at Gitarama in response to a call by the Minister for the Interior of the Provisional Government. The purpose of the meeting, according to the notice convening it, was to take certain steps to facilitate pacification and the maintenance of order in view of the tense situation resulting from the news concerning the postponement of the elections. In fact, however, as events were to show, the true purpose of the meeting was to proclaim the Republic of Rwanda and thereby to confront the Administering Authority and the United Nations with a *fait accompli*.

95. According to the official communiqué detailing the events (annex XVII), nearly all of Rwanda's 3,126 burgomasters and communal councillors were present as were the members of the Provisional Government and of the Council. The first speaker, Mr. Rwasibo, the Minister for the Interior, addressed the crowd and put to them a series of questions. He concluded by saying that the Kalinga, the Biru and the feudal organization had made the people of Rwanda unhappy and that these institutions must disappear and give place to democracy. Mr. Gitera, the President of the Council of Rwanda, and Mr. Kayibanda, the Prime Minister, announced that the monarchy and its symbols were abolished, proclaimed the Republic and exhibited the new green, yellow and red flag of Rwanda.

96. The burgomasters and communal councillors then proceeded to elect the President of the Republic. Mr. Dominique Mbonyumutwa, one of the PARMEHUTU leaders, was elected by 2,391 votes out of a total of 2,873 votes cast. The forty-four members of the Legislative Assembly were then elected, forty being members of PARMEHUTU and four of APROSOMA. Mr. Gitera was elected President of the Legislative Assembly and Mr. Kayibanda, who had been entrusted by Mr. Mbonyumutwa with the task of setting up the Government, announced the formation of a Government composed as follows:

Mr. Grégoire Kayibanda: *Prime Minister and Minister for Education*;

Mr. Otto Rusingizandekwe: *Secretary of State*;

Mr. Jean-Baptiste Rwasibo: *Minister for the Interior*;

Mr. Balthazar Bicumampaka: *Minister for Agriculture*;

Mr. Jacques Hakisumwami: *Minister for Social Affairs and Refugees*;

Mr. Théodore Sindikubgabo: *Minister for Technical Affairs*;

Mr. Calixte Hagamenshi: *Minister for Economic Affairs*;

Mr. Gaspard Cyimana: *Minister for Finance*;

Mr. Anastase Makuza: *Minister for Justice*;

Mr. Germain Gasingwa: *Minister for Foreign Affairs*;

Mr. Aloys Munyangaju

Mr. Isidore Sebazungu: *Minister for National Defence*.

97. Mr. Mbonyumutwa concluded by announcing the institution of a Supreme Court composed of Mr. Isidore Nzoyimana as President, and Mr. Daniel Shumukiga, Mr. Claver Ndahayo, Mr. Narcisse Sekerere and Mr. Franciscus Ackerman as members.

98. The next day, 29 January 1961, the Resident-General received a cable (annex XVIII) from the leaders of the new Rwanda institutions, notifying him of the events which had taken place at Gitarama. According to the cable, the actions were justified by the equivocal attitude of Belgium and the United Nations towards the legislative elections and by the arbitrary decisions which had been taken and which were contrary to the conclusions of the Kisenyi and Ostend talks. The signers added that they would be happy to collaborate in loyalty and friendship with Belgium and all free nations and requested the Belgian Government and the local trusteeship administration loyally to accept their responsibilities. They concluded by expressing the hope that a conference of representatives of Belgium, the United Nations and Rwanda would be convened as quickly as possible to deal with the question of the country's independence.

99. On that same day, the second-stage elections were held in Burundi for the formation of the interim council provided for in Legislative Order No. 02/30 of 27 January 1961. As in the case of Rwanda, at Gitarama, the electors were the burgomasters and the communal councillors. The elections were in principle boycotted by UPRONA, but the boycott was incomplete, and elections were held in sixty of the sixty-four electoral districts. The results of the voting for the sixty seats were as follows:

Parti démocrate chrétien (PDC)	25
Parti démocrate rural (PDR) ..	11
Parti du peuple (PP) . . . . .	9
UPRONA . . . . .	4
Rassemblement populaire du Burundi (RPB) .	3
Union nationale du Burundi (UNB) . . . . .	3
Mouvement rural du Burundi (MRB)	1
Union démocratique paysanne (UDP) . . . . .	1
Voix du peuple murundi (VPM)	1
Mouvement progressiste du Burundi (MPB)	1
Independent . . . . .	1

100. The Burundi elections are described in an official communiqué (annex XIX).

101. The Commission only learnt of these events officially during the meeting with the Resident-General on 30 January 1961. The Resident-General explained that the formation of an interim Government in

Burundi had been deemed necessary as it was being urgently demanded by the political parties. He added that in the absence of a Government, even provisional, and of guarantees that unforeseen circumstances would not delay the legislative elections beyond the month of March, something had to be done so that the preparation of the country for independence would not be delayed. The interim council had been set up solely in order that the gap left by the Belgian Government's decision to comply with the resolutions of the General Assembly could be filled and that the country could be given an organ capable of taking decisions on urgent problems. This Government was a purely transitional organ and would be replaced by a permanent institution after the elections.

102. The happenings at Gitarama in Rwanda, on the other hand, were of a completely different nature and represented a *coup d'état* and a gesture of insubordination towards the Administration. The Resident-General considered that the action had resulted in part from the feeling of the political leaders that they had been betrayed by the Administering Authority, from the conviction that the United Nations was hostile to them and from a fear that the disorders in the neighbouring Republic of the Congo might extend to Rwanda. The Resident-General said that he had had to choose, on the one hand, between the use of force to suppress the new régime—a course that was inconceivable and, moreover, impossible in view of the very small armed forces which the metropolitan country had placed at his disposal—and on the other hand, the possibility of advising the Belgian Government to negotiate with the new authorities. Though characterizing the action of Rwanda's burgomasters and municipal councillors as illegal, he noted that such action was in accordance with the provisions of the Interim Decree of 25 December 1959 which at that time had provided for second-stage legislative elections. It also seemed to him that the new authorities, although their actions were illegal, were anxious to try and act only within the limits of the Ordinances of 15 and 25 January 1961. He added that he had had no contact with the new authorities and that the situation had been explained to the Belgian Government at Brussels, from which he was awaiting instructions.

103. During a further meeting with the Resident-General on 1 February, the Commission received a copy of the official communiqué (annex XX) setting out the attitude of the Belgian Government towards the events at Gitarama. Taking the view that these events were a reaction of the indigenous authorities, supported by the vast majority of the population, to the Belgian Government's decision to postpone the elections, that Government considered that it should not oppose this peaceful expression of the general will by force; otherwise it would run the risk of provoking disorders, the consequences of which might be disastrous to the country. The Belgian Government was ready to discuss matters with the new Government, but it made clear that Belgium was retaining the authority devolving upon it as Administering Authority and would thus continue to assume the responsibilities towards the United Nations which stemmed from that status.

104. The communiqué continued in the following terms:

"The principles put forward by the Gitarama meeting will have to be considered by the responsible Belgian Government, which, in agreement on the one

hand with the representatives of the United Nations and, on the other, with those of the Rwandese peoples concerned, will endeavour, within a short space of time, to find solutions such as will maintain peace and enable Rwanda to achieve independence in accordance with the wish of its inhabitants. The political leaders of Rwanda who were at Gitarama have also requested that a meeting of representatives of Rwanda, Belgium and the United Nations take place shortly. Lastly, the present development of the political situation in Rwanda does not exclude general elections."

105. During the subsequent discussions, the Resident-General repeated that he was still not in contact with the new Government and that the Trusteeship Administration was restricting itself to the conduct of day-to-day affairs.

106. On the same day, 1 February, the new Legislative Assembly of Rwanda held its opening meeting at Kigali, during which the Constitution (annex XXI) of the Republic of Rwanda was read out and signed. It should be noted that this Constitution, though proclaiming the sovereign character of the Republic of Rwanda, also recognizes the provisional trusteeship of the United Nations assumed by Belgium as the administering Power and states in chapter V, article *b* that "trusteeship shall be exercised through a right of supervision, of veto and of technical and financial assistance, as regulated by the present Constitution and by laws negotiated by common agreement". It is also interesting to note that in accordance with chapter VIII, article 36, members of the Legislative Assembly must be elected on the basis of direct universal suffrage, with the exception of the Assembly of the constituent national congress.

107. It seemed obvious to the Commission that the events of the preceding few days had radically altered the situation as it had been when the General Assembly adopted resolutions 1579 (XV) and 1580 (XV), and that care must be taken to prevent any of the Commission's actions being interpreted as a *de facto* recognition of the new Governments of Rwanda and Burundi before the General Assembly itself had had an opportunity of reviewing the events.

108. The Commission consequently took no steps to initiate official contacts with those Governments.

109. During the next few days the Commission remained at Usumbura for consultations and also in order to receive representatives of the political parties and other leading persons. The Commission had a number of contacts and discussions with various people, sometimes on a confidential basis. The accounts which it received from various sources indicated that a by no means negligible part of public opinion was profoundly disturbed by the turn of events and did not disguise its anxiety for the future. Many observers, whose good faith cannot be questioned, considered that social and political changes in Rwanda had been allowed to take place more radically and swiftly than the real interest of the people justified. They felt that if the Administration had followed a more impartial and reserved policy, it would have enjoyed greater confidence on the part of Africans of all political tendencies. Several people criticized the Administration for having assumed the extra-judicial powers provided for in Legislative Order No. 221/296 of 25 October 1960 (annex XXIX), against the exercise of which there was no possibility of appeal; they emphasized that these powers exceeded

those which had been conferred by the state of emergency.

110. On 2 February 1961, the Commission received a visit from the Mwami of Burundi, who gave it a copy of a letter (annex XXII) which he had sent on 26 January to the Resident-General and in which he formally denied a statement given officially over the radio to the effect that the interim Government of Burundi had been formed with his agreement. He said that he had reserved his final opinion until all the political parties had been consulted.

111. On 3 February, the Commission received a delegation representing UPRONA, VPM and the HTT Party. The delegation protested against the formation of an interim Government based on the results of communal elections which, according to them, had been partially falsified by pressure and intimidation. It also protested against the precipitate procedure of the elections for the interim council, which had been announced in a notice dated 27 January and had been held two days later. Some people, they said, had only received the notice on the actual day of the elections. The delegation explained that UPRONA had ordered its members not to take part in the elections after hearing the news of the Gitarama *coup d'état* of 28 January, in which the same electoral system had been used.

112. The Commission subsequently learned that on that same day UPRONA had addressed a petition to the Mwami of Burundi in which it protested against the formation of an interim Government composed of political leaders chosen on the basis of the results of the communal elections and that it had submitted for the Mwami's approval a list of Ministers belonging to UPRONA and the parties allied with it.

113. During the afternoon of 7 February, the Secretary-General of Ruanda-Urundi, in the absence of the Resident-General, handed the Commission a *note verbale* (annex XXIII) informing it that the Belgian Government had decided to give a *de facto* recognition to the public authorities instituted on 28 January 1961 by the general meeting held at Gitarama. Those authorities would henceforth exercise the powers of self-government provided for in Legislative Order No. 02/16 of 15 January 1961. In fact, however, the régime had already been recognized by Legislative Order No. 02/38 of 6 February (annex XXXVIII), which had, moreover, been made retroactive to 1 February 1961.

114. Since the Commission, in view of its terms of reference, was obviously not qualified to negotiate with the new Rwanda régime, all that remained for it to do was to find out as much as possible about the situation in the Territory and to report on it to the General Assembly. The Commission decided to send the principal secretary and the assistant secretary to Kigali, the capital of Rwanda, to gather information. The Administration then made known that the Resident of Rwanda would be at Usumbura on Sunday, 12 February, for an interview with the Commission, and the journey of the two members of the Secretariat was consequently cancelled.

115. The Commission had intended to visit Kitega, the capital of Burundi, on 7 February in order to meet the Mwami Mwambutsa, the Resident and such leaders of the political parties as wished to do so. The Administration first said that it was impossible to provide transport; then the Commission was informed that the Resident and the Mwami would both be away from

Kitega on 7 February, and it was asked to postpone the visit to the next day.

116. Upon arriving at Kitega, the Commission learned that on the previous day—the day on which it had intended to visit Kitega but had been dissuaded from doing so on the pretext that the Resident and the Mwami would be absent—the new Government and the new Council of Burundi had been officially installed by the Secretary-General of Ruanda-Urundi.

117. In his speech on that occasion, the Resident of Burundi had said that it was regrettable that the members of the Council had not been elected by universal suffrage. Such had been the wish of the majority of the people and the Administration, but, according to him, it had not been possible to satisfy this justified claim because of interference within the framework of the United Nations. The Council had then gone on to elect its Chairman in the person of Mr. Cyprien Kiyuku (PDC) and had passed a vote of confidence in the new Government. Before the vote, five representatives (four from UPRONA and one from an affiliated party) had left the room.

118. During his interview with the Commission, the Mwami seemed very disturbed. He said that he was faced with two opposing governmental entities, neither of which had received his approval, and a council which represented only the Front commun parties. This situation was due to the fact that the Administration had acted without waiting for his approval. In view of the tension which this situation had created and in order to avoid disturbances, he felt that in his position as Mwami, which placed him above parties, he must play the role of conciliator. The Mwami handed the Commission a copy of the letter (annex XXV) which he had sent to the Resident-General on 5 February 1961 and in which he stated "... I am now confronted with two provisional governments, both formed without my prior approval. Not being able to accept both of them, and since there is a conflict between two important blocs of opinion, I prefer to reject both, pending the formation of a definitive government as a result of the forthcoming legislative elections held by direct universal suffrage in accordance with the resolutions... of the United Nations Assembly... accepted by the Belgian Government. However, since all sides seemingly agree on the principle of a provisional government, I take the responsibility for forming a Provisional Government of National Union which I propose to you...".

119. The Mwami proposed the formation of a Government, "taking account of no considerations other than the demands of wisdom, reason and the political realities of Burundi", and composed of Ministers "who show a tendency towards moderation and are above reproach so far as the people is concerned". This Government, with a membership of two Tutsi and four Hutu, would be presided over by Mr. Joseph Cimpaye, the Prime Minister of the interim Government already appointed by the Administration.

120. On the same day, the Commission had an interview with the Resident of Burundi. The reason given by him for the haste with which the interim Government had been formed was that the Belgian Government's decision to postpone the elections had created considerable tension among the people and had led to a loss of confidence in the Administering Authority. Since the entire apparatus of direct administration was in the hands of African provincial admin-

istrators, there would have been a serious risk of the people taking matters into their own hands. This could have resulted in the formation of two rival Governments, a situation which might have led to civil war. The Administration had chosen the Ministers with the aim of creating a Government of National Union and had submitted the names to the Mwami for his approval. The Mwami had at first hesitated, saying that he wanted to obtain the agreement of all the important political parties, but he had acquiesced at the last moment. He had subsequently changed his mind again. Meanwhile, however, the Government had obtained a vote of confidence from fifty-five of the sixty members of the interim council. In the Resident's opinion, a decision by the Mwami to replace this Government by one of his own choosing would have been unacceptable to a large part of the people. For most of the political parties, the Mwami was only an august symbol. Any attempt on his part to interfere with politics might result in a social revolution similar to that which had occurred in Rwanda.

121. The Resident considered that the holding of legislative elections in Burundi on the basis of universal suffrage, as proposed by the General Assembly, was by no means out of the question, but that such action would not be possible in the immediate future.

122. During the afternoon of 8 February, the Commission received a visit from the Chairman of UPRONA and a representative of PTB. The former assured the Commission that his party was prepared, in deference to the Mwami and in the spirit of conciliation, to accept the Government of National Union proposed by the Mwami.

123. The Commission then received the leaders of the parties belonging to the Front commun. They explained that they had set up an interim Government not in opposition to the United Nations, but because the political atmosphere in Burundi had become so explosive that the taking of steps to avoid serious trouble was a matter of urgency. The abolition of the chiefs had eliminated one traditional source of authority and had created a feeling of insecurity among the people. This feeling of insecurity had been considerably augmented by the nearby events in Kivu in the Republic of the Congo and by the disturbed situation in Rwanda. The country could not therefore be left without a Government, particularly since to do so would have meant delaying independence. The Front commun parties did not consider that the second-stage elections held on 29 January 1961 were a substitute for elections by universal suffrage under United Nations supervision. They hoped that the elections envisaged by the General Assembly in resolution 1579 (XV) could be held, but they did not regard that as possible until a more peaceful atmosphere had been re-established, probably not before May or June 1961.

124. On its return to Usumbura the Commission received several more leading personalities and representatives of the political parties, who helped to enlighten them on the situation.

125. On 12 February, the Commission met Colonel Logiest, the Special Resident in Rwanda, who related the circumstances of the Gitarama *coup d'état*. He said that the announcement of the Belgian Government's decision to comply with the General Assembly's recommendation that the elections be postponed had led to an outburst of anger among the people of Rwanda. The

anger was directed primarily against Belgium. When the Prime Minister of the provisional Government requested permission to convene all burgomasters and communal councillors, ostensibly to discuss problems relating to the maintenance of order, the Special Resident had had the strong impression that a coup was in preparation, but he realized that a refusal on his part to grant the permission would have led to trouble.

126. Colonel Logiest said that he had been informed of the *coup d'état* on the evening of 28 January by a delegation consisting of the President of the Republic, the Prime Minister and the President of the Legislative Assembly of the new régime. He had explained to them that their action was illegal, but on the following day he had decided to accept the fact without awaiting the decision of the Resident-General, with whom he was in regular contact. It seemed evident to the Special Resident that any attempt to abolish this régime forcibly would have resulted in chaos that probably would have been as complete as the chaos in the Congo.

127. Colonel Logiest added that, for the time being, co-operation between the Administration and the local authorities was restricted to purely administrative questions and that there were no political consultations. The Administration had the country in hand, but only because the political leaders, who had the support of the vast majority of the people, wanted to co-operate. It was difficult to say whether that situation could be continued without conflict. The new Government had, in addition, indicated its desire to restore matters to a legal basis and to co-operate with the Belgian Administration. He could not say whether such desire to co-operate would go to the point of agreeing to legislative elections at a later date.

128. According to Colonel Logiest, the country was completely calm and the Tutsi seemed to accept the situation. He believed that although steps could be taken to grant a general pardon to persons convicted of collective criminal action at the time of the disturbances of November 1959, the release of the major criminals would not be accepted by public opinion. With regard to Legislative Order No. 221/296 of 25 October 1960, he did not consider it essential for the Resident-General to retain the special powers which had been granted to him.

129. Having thus completed its study of the situation in Ruanda-Urundi, as far as circumstances permitted, the Commission left the Territory on 13 February for Brussels.

#### D. THE COMMISSION'S STAY AT BRUSSELS (14-17 FEBRUARY 1961)

130. After its arrival at Brussels the Commission had interviews on 15 and 16 February with the Minister for Foreign Affairs and the Minister for African Affairs together with officials of the two Ministries. At these meetings, the Commission described the situation as it had found it in the Territory and the difficulties which it had encountered there. The Ministers assured the Commission that the Belgian Government was abiding by its decision of 21 January to comply with the General Assembly's recommendations regarding the date of the elections and the referendum on the Mwami. They considered it essential to obtain the co-operation of the peoples of Rwanda and Burundi in the matter of the elections. They reiterated the proposal that there

should be negotiations between the Belgian Government, the authorities of Rwanda and the United Nations.

131. The Commission left Brussels on 17 February for New York, where it drafted the present report.

#### E. EVENTS AFTER THE RETURN OF THE COMMISSION TO NEW YORK

132. On 4 March 1961, the Permanent Representative of Belgium to the United Nations delivered to the Chairman of the Commission a communication from his Government, dated 3 March 1961 (annex XXVII).

133. That communication confirmed and clarified the main points which the Minister for Foreign Affairs and the Minister for African Affairs had discussed with the Commission. It pointed out that the United Nations and Belgium had fundamentally identical aims, that is to say, the speedy emancipation of Ruanda-Urundi in its progress towards independence. The Belgian Government had been anxious to give the Commission all necessary assistance during its stay in the Territory, particularly in the matter of accommodation and travel facilities, the regular exchange of information and sustained and loyal co-operation. The Note pointed out that the Commission's arrival had coincided with particularly grave and unforeseen events with which an already overburdened Administration had had to deal. Such difficulties explained the impression which the Commission might have formed that help from the Administration was not always forthcoming.

134. The Note recalled that while Belgium was alone responsible for the administration of the Territory within the terms of the Trusteeship Agreement and while the Belgian Government was doing its utmost to comply with United Nations recommendations, Chapter XII of the Charter imposed the obligation to take into account the freely expressed wishes of the peoples concerned.

135. The Belgian Government stressed the fact that the initiative taken by the people of Rwanda without regard for the Administering Authority had involved that Authority in serious additional complications. The Belgian Government considered that the end of the trusteeship should be preceded by the establishment of autonomous institutions based on first-stage general elections, but that those elections must be held in conformity with the wishes of the indigenous peoples.

136. The Belgian Government indicated that it intended to grant an amnesty to as many persons as was feasible in the interests of law and order and, particularly, in the interests of personal safety. It was prepared to set up immediately a commission of judges who would examine the trial records of the offenders and propose criteria which might be adopted in the execution of amnesty measures; it would welcome the presence of a United Nations representative when these operations were being carried out. The Government also stated that the United Nations Commission would greatly assist this task if it would, on the basis of the trial records, indicate those cases which in its view called for further examination.

137. With regard to the Legislative Order of 25 October 1960 relating to the powers conferred on the Administering Authority, the Note pointed out that even though this legislation had been applied in only a few exceptional cases, a decision had been made to introduce greater flexibility by providing in particular

for an appeals procedure that could be applied at very short notice and a procedure for the periodic review of cases.

138. The Government also accepted the principle that the official radio could be used by the Commission for communications which the Commission considered essential, but it stressed the responsibility resting with Belgium as the administering Power. It expressed confidence that the Commission would confer with the Administering Authority in a spirit of reasonable co-operation in determining what use should be made of the radio.

139. The Commission has learned from an official press communiqué received in New York that Mr. Joseph Gitera Habiryamana had, in a telegram dated 16 February 1961, announced his resignation as President and member of the Legislative Assembly of Rwanda and the dissolution of the APROSOMA party, of which he was the founder. The decision to dissolve the party had not been accepted by the members of the party's executive committee but had been confirmed a second time by Mr. Gitera. On the day before his resignation, Mr. Gitera had established a new party called the Parti national rwandais-APROBAMI and also entitled the Association des partis monarchistes rwandais, hutu, tutsi et twa, autour d'un père commun. The by-laws of this new party refer to the establishment on 25 January 1961 of a Hutu monarchist party. In these by-laws, Mr. Gitera takes upon himself the title of Mwami of the Hutu.

## V. Observations by the Commission

### A. OSTEND CONFERENCE

140. The idea of a "round-table conference" on the political problems of Ruanda-Urundi, and in particular on a reconciliation in Rwanda, had been put forward by the United Nations Visiting Mission to Trust Territories in East Africa, 1960, in its report.<sup>18</sup> It had been accepted in principle by the Administering Authority but had not been carried out in the manner envisaged by the Mission, particularly with regard to Rwanda (Brussels talks of June 1960). The Visiting Mission had hoped that conversations held in Belgium, between freely chosen representatives of the different political persuasions, might lead to practical solutions for effecting a reconciliation and thus make it possible to erase the memory of the injuries and grievances arising from the disturbed period at the end of 1959 and the beginning of 1960 in Rwanda, to establish a new and firmer basis, acceptable to all parties, for the democratic evolution resulting from the social upheaval in Rwanda and at the same time to ease tension and prevent disturbances in Burundi.

141. One of the difficulties in carrying out this proposal was the attitude of the Administering Authority, which had refused to allow political parties (particularly UNAR) to be represented by leaders in exile against whom criminal proceedings had been instituted and who were regarded by the Administering Authority as common criminals. Those political leaders, however, still had a certain following in the country even though the influence of their parties in Rwanda had, according to some, suffered a decline.

<sup>18</sup> See *Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3*.

142. The General Assembly had again taken up the idea of a round-table conference in operative paragraph 4 of its resolution 1579 (XV) recommending "that a conference fully representative of political parties, attended by United Nations observers, should be held early in 1961, before the elections, in order to compose the differences between the parties and to bring about national harmony". It was hoped that this would lead to what the General Assembly was seeking in operative paragraphs 1, 2 and 3 of the same resolution, namely, the necessary conditions and atmosphere to ensure that the legislative elections take place in an atmosphere of peace and harmony; measures of full and unconditional amnesty; and measures for the return and rehabilitation of refugees. The Commission had therefore been pleased to learn that the Government had called a conference at Ostend for 6 January 1961, and its only concern was that the choice of such an early date might lead to inadequate preparation.

143. Looking back upon that Conference after several weeks, and taking into account subsequent events, the Commission is convinced that the reasons for calling the Conference were not dictated by the spirit of General Assembly resolution 1579 (XV).

144. It must be remembered that the Administration had held talks on Rwanda at Kisenyi (7-13 December 1960) and on Burundi at Kitega (16-20 December 1960) without waiting for the conclusions of the United Nations survey on the problem of Ruanda-Urundi, and that plans had been made to hold the legislative elections in mid-January 1961 in accordance with the announcement of the Belgian Government to the United Nations on 17 November 1960 (A/C.4/455). The Commission has been informed that many African political leaders in Ruanda-Urundi had even hesitated to go to Ostend without receiving assurances that discussion of matters on which agreement had been reached at Kisenyi and Kitega would not be reopened. It would therefore appear that very little had been done to make responsible leaders aware of what should have been the real objective of the Ostend Conference. A communiqué from the Resident-General, published in the *Rudipresse* bulletin of 31 December 1960, contains the following statements:

"Starting on 6 January 1961, a general conference will be held in Belgium and will be attended by all who participated in the two separate talks which have just been held for Rwanda and Burundi at Kisenyi and Kitega, respectively.

"This general conference has been conceived as the logical consequence of those two meetings which, in turn, had been designed to work out provisional political structures in view of the forthcoming self-government of the two States, as well as the system of elections which are to precede it.

"The time has therefore come to call a general conference which can without further delay sketch out certain preliminary community structures of a provisional nature which might be set up within the framework of this coming political self-government.

"If necessary this new conference will also deal with other questions of general interest on which it would be useful to know the opinions of the present representatives of the people."

145. In a desire to confirm and follow up the results of the talks at Kisenyi and Kitega, the criteria adopted for the selection of the participants in those talks were

followed by the Administration in connexion with the Ostend Conference, namely, the results of the communal elections, despite the fact that the Administering Authority had regarded those elections as being of an administrative rather than a political nature. This course inevitably aroused protests from certain representatives. Mr. Rutsindintwarane, representing UNAR, pointed out that the United Nations resolution had recommended a conference fully representative of political parties and asked why UNAR could not be represented by its leaders, in particular Mr. Rwagasana and Mr. Kayihura. Mr. Ndazaro, representing RADER, protested against the exclusion from the conference of Mr. Bwanakweri, the president of his party. Certain representatives even went so far as to ask what purpose the conference was to serve, since all the decisions had been taken beforehand, as was apparent from the statement of the Minister for African Affairs.

146. The Commission is forced to the conclusion that in the minds of its organizers the conference was primarily intended to convince the Commission that the great majority of the people were opposed to the postponement of legislative elections both in Rwanda and in Burundi and also to give the impression, in regard to Rwanda, that the Commission insisted on the definitive elimination of the Mwami and ruled out any compromise in the matter.

147. If the representative character of the communal elections were to be accepted, the parties defending these points of view would in fact represent the great majority of the people. In the first place, however, the conditions in which the communal elections were held had been criticized in many different quarters, and, in the second place, the purpose of the conference should not have been a test of strength between a "majority" supported by the Administration and a "minority", but rather a means of coming to an understanding between all political parties, the Belgian Administration and the United Nations.

148. Another point which the Commission feels obliged to recall is the previously described attempt to assign to the members of the Commission the role of passive spectators. The Commission was obliged to make energetic protests. It was all the more necessary for the Commission to address the conference and explain its terms of reference in view of the fact that the documents supplied to the conference were inadequate or ill chosen. To cite only one example, the conference had not received, until the Commission pointed out the fact, the texts of resolutions 1579 (XV) and 1580 (XV) as adopted by the General Assembly in their final form on 20 December 1960. Even then only the draft resolutions which certain delegations had submitted in the Fourth Committee were circulated, and these were used as a pretext for attacks against the African-Asian countries by certain participants. The Commission had to point out that the resolutions in question had been adopted on 20 December by a two-thirds majority of the Members of the General Assembly.

149. What is even more important is that only after repeated explanations from the Chairman of the Commission was the Conference finally made to understand the exact nature of the Commission's terms of reference, and particularly the fact that it could not supervise the elections if they took place before the resumption of the General Assembly's fifteenth session in March 1961.

150. As stated above, the discussion was concerned chiefly with the date of the elections. At the beginning of the conference it seemed that the matter had already been decided, since the Minister had declared that the Belgian Government had recently fixed the exact dates on which the elections would take place, namely 18 January 1961 for Burundi, 23 January 1961 for Rwanda. When it became apparent that this decision was open to debate, every effort was made to prove, first, that the great majority of the people were opposed to any change and, secondly, that no confidence could be placed in the United Nations because, under the influence of certain pressures, it had changed the dates which it had itself proposed and on which it had agreed. This point, which seemed to be a constant and deliberate source of confusion, had to be brought to the attention of the Conference by the Commission (annex IX).

151. While it is true that the 1960 Visiting Mission was the first to suggest legislative elections at the beginning of 1961—which, as was pointed out repeatedly, did not necessarily mean January—this was only one element in a general plan. This plan envisaged various measures that were to precede the legislative elections. These measures included the holding of a round-table conference on reconciliation in Rwanda, which would be attended by all the true leaders of the political parties; amnesty measures; the return of the refugees; the abolition of the emergency régime; a solution, if only temporary, of the problem of the Mwami; and, in short, actions likely to lead to an easing of political tensions. As, however, these various conditions either had not been met at all or had only been partly met, it was wrong to assert that the United Nations had no logical basis for requesting that the elections should be held after January 1961. Since, moreover, the Trusteeship Council had taken the view that the elections should, as far as that was practicable, be held simultaneously in Rwanda and Burundi, that is to say, in the Trust Territory as a whole, the General Assembly had arrived at the conclusion that a certain delay in holding the elections was desirable. This had not been properly explained to the participants in the Ostend Conference.

152. On the contrary, it became increasingly clear throughout the Conference that not only was the role of the United Nations seriously misunderstood, but also that nothing had been done to inform the participants of the real reasons why the General Assembly, in a desire to defend the interests of the people, had made its recommendations. Attempts were repeatedly made to discredit the role of the United Nations. It was even claimed that although the Kisenyi talks had done something towards achieving harmony and reconciliation, positions had again hardened when the General Assembly resolutions had become known.

153. One statement, the full significance of which was only realized by the Commission in the light of later events, was made on 11 January by Mr. Gitera, the Chairman of the Council of Rwanda. This was that the majority parties wanted the elections to be held in January as had been promised. In Mr. Gitera's view, that was the only way to restore calm. If, however, the Administration wished to satisfy both the majority opinion in Rwanda and the United Nations he would propose to the United Nations and the Administering Authority that all provisional bodies should be given a permanent status until the time of the elections.

154. The Chairman of the United Nations Commission pointed out that it was not for the Commission to

take a decision on a question which was not within its competence. In providing that explanation, he did not suspect that a plan was under way to confront the United Nations with a *fait accompli* in the event of a decision being taken to postpone the elections.

155. With regard to the problem of the Mwami, the Conference did not lead to any change in the attitudes of the various parties.

156. Mwami Kigeli V had been to Brussels during the month of January. As far as the Commission is aware, the Belgian authorities took no advantage of the presence of the Rwandese leaders in Belgium for the Ostend Conference to try to arrange a meeting with the Mwami of Rwanda with a view to arriving at some basis of agreement.

157. The decision communicated by word of mouth by the Belgian Government to the Commission on 21 January, and confirmed in writing on 25 January, to "postpone the holding of legislative elections" in order to "respect the wishes of the General Assembly to the greatest possible degree" seemed to indicate that the Belgian Government was anxious to co-operate fully with the United Nations. That being so, the Commission felt bound to do everything in its power to facilitate the task of the Administering Authority. Knowing the importance which the Administration and the people attached to the holding of legislative elections with as little delay as possible, the Commission gave the assurance that it would in turn do everything within its means to see that the elections were arranged for a date as early as possible after the resumption of the General Assembly session, taking into account the need for properly organizing the elections and for supervising them in the spirit of the United Nations resolutions. It was therefore imperative to go to the Territory as soon as possible in order to make arrangements with the local authorities concerning the conditions and details of the elections and their supervision. The Commission informed United Nations Headquarters in New York that observers should be ready to proceed to Ruanda-Urundi at a moment's notice.

158. The Commission was unaware that in the days which had elapsed between the end of the Conference and its departure for the Territory formal steps had been taken and events were in progress which would completely change the political climate in which the Commission was called upon to work.

## B. ARRIVAL IN THE TERRITORY

159. The Commission realized that apart from the tension due to the domestic political developments in Ruanda-Urundi, other circumstances were casting a shadow over the Territory in January 1961. These included the events in the Congo, the recent incident of the passage of Congolese troops through the Trust Territory, tensions on the frontier, the presence in Ruanda-Urundi of many refugees from Kivu Province, uncertainty over the future, a housing shortage and economic difficulties. Nevertheless, the Commission had no reason to doubt the full and complete co-operation of the local Administration and carried in its files the good wishes of the Minister for African Affairs, who in his letter of 25 January 1961 had said: "The local authorities will, I am convinced, do everything within their power to facilitate in a spirit of co-operation the task that has been entrusted to the Commission".

160. The Commission was unfortunately forced to the conclusion, from the time of its arrival and throughout its stay in Ruanda-Urundi, that such a spirit of co-operation was completely lacking in the local Belgian authorities, who did very little to assist the Commission in the matter of accommodation, transport, documents, communications and similar facilities.

161. The use of the official radio, in accordance with a request made on 30 January 1961, in order to broadcast a message to the people of the Territory, was difficult to obtain and was only granted, with reservations, too late to be of any use. The Commission was obliged to make the use of the official radio a question of principle, which was never satisfactorily settled.

162. The Commission cannot escape the impression that the local Administration, finding itself no doubt too much bound by promises to its favoured political parties and considering that its prestige was at stake, was reluctant to comply with the decisions taken by the Belgian Government to co-operate in giving effect to the recent United Nations resolutions on Ruanda-Urundi. It not only gave the impression that it considered United Nations action to be harmful but said so in so many words both to the Commission and to the international Press. It apparently regarded the Commission as an awkward witness to the action undertaken in the Territory, and already described in the preceding chapters, in order to ensure the execution of plans previously arranged without regard for the United Nations resolutions. In particular the Commission deplores the manner in which the local Administration withheld or delayed information on the events which were occurring in Rwanda and Burundi not only before its arrival but also during its stay in the Territory.

### C. THE SITUATION IN BURUNDI

163. As stated above, Legislative Orders Nos. 02/18 concerning the institutions in Burundi and 02/19 concerning the legislative elections in Rwanda were issued by the Resident-General on 15 January 1961, that is, three days after the Ostend Conference. They are based on the general decisions reached at the Kitega talks. The urgency of these Legislative Orders, prepared before the Ostend Conference, was justified only if the elections remained fixed for the month of January. Seeing that the Belgian Government had undertaken to decide on the date for the elections within a week after the end of the Conference (i.e. before 21 January), it may be asked why it was necessary to issue these orders on 15 January. If the date fixed for the elections was adhered to, they could have been published on 21 January; the interval of six days, given the way in which things materialized, was not really of great import. If the election date was not adhered to and the elections were put off until an unspecified juncture, there was no longer such urgency, and it would have been useful to hold discussions with the Commission inside the Territory before issuing the orders in their final form.

164. In any case, the Commission had not been informed of the intention to issue the said orders.

165. On 26 January, the day before the Commission left Brussels, the Resident-General set up a provisional Government and appointed its members—see Legislative Order No. 02/29 of 26 January 1961 (annex XXXVI) and Legislative Order 02/28 of 26 January 1961 (annex XXXV) and on 27 January—what is more extraordinary—decided “pending the legislative elec-

tions” to institute an interim Council composed of members elected by the communal councillors, that is, on a basis of indirect suffrage, a principle incorporated in the interim Decree of 25 December 1959 officially abandoned by the Administering Authority as a result of the adoption of the principle of universal direct suffrage for the legislative elections. It is hard to see why the postponement of the legislative elections by a few months made this reversal of policy necessary. When, in October 1960, the Administering Authority had wished to set up a Provisional Council in Rwanda, it had not deemed it necessary to resort to indirect elections.

166. The Commission had received no information whatever to the effect that it was proposed to take such decisions on the very day when the Commission was due to leave Brussels for Usumbura. The official explanation given later was that “in Burundi, where there was only a college of commissioners whose services foreshadowed the future departments and where, in accordance with the Kitega decisions, the population was expecting to elect the State Council in January and to see the Government appointed in February, considerable impatience and nervousness had arisen as early as 23 January . . . . It was no longer possible to leave Burundi for several more months without a Government able to begin exercising autonomous powers”. (*Rudipresse* bulletin No. 208 of 28 January 1961.)

167. But the interpretation given by certain non-official circles to the decision in question was that, since the legislative elections were not to be held in January as had been contemplated, it was better to put them off *sine die* and to replace them, before the arrival of the United Nations Commission, by a different type of machinery designed to ensure that the parties successful in the communal elections and favoured by the Administration should have a majority in the new “provisional” legislative body.

168. The indirect elections took place on 29 January, the day after the Commission's arrival at Usumbura. The Commission learnt of this only through the official radio, a day later.

169. The “opposition” parties, more particularly UPRONA, voiced their displeasure and—what was more serious—Mwami Mwambutsa, in two communications forwarded to the Commission (annexes XXII and XXV), complained of the way in which the Administration had forced his hand by setting up the provisional Government.

170. The facts themselves seem to indicate that a plan had been carefully prepared and was to be carried out immediately should the legislative elections be put off, so as to present the Commission with a *fait accompli*. These happenings in Burundi should be borne in mind for a better assessment of the parallel events in Rwanda, where matters were complicated by a *coup d'état*.

171. The official point of view is that Burundi now has legislative and executive organs which set the seal, by emphasizing them still further, on the results of the communal elections of November. Direct legislative elections are not excluded, but are no longer regarded as urgent. The composition of the Government, which includes both Tutsi and Hutu, augurs well for social peace; the machinery for autonomy is now able to function, and the leaders have time in which to acquire the necessary experience before the State's coming independence. The Mwami is the sovereign authority

respected by all, and is above parties. Such is the official view.

172. But other opinions are less optimistic. According to these, certain parties (UPRONA and its allies) lost the communal elections only because of intervention by the Administration and will be opposed to their defeat being confirmed in the new institutions.

173. The Mwami himself has been subjected to pressure, both direct and indirect, and his position is becoming more and more difficult. Democracy has not been strengthened, since all the Administration has done is to favour one feudal group as against another, and the Hutu-Tutsi conflict is simply coming to a head. There is the possibility of an explosion, brought about either by the disgruntled "feudal" groups, or by the rank-and-file of the Hutu who have not accomplished their social revolution as in Rwanda.

174. It is difficult for the Commission to decide where between these extremes the truth lies; but it does not believe that the precipitate events of the end of January offer any solid assurance of peace in Burundi, where the atmosphere remains tense.

#### D. THE SITUATION IN RWANDA

175. It is hard to believe that the *coup d'état* of Gitarama could have taken place without the knowledge of the Belgian authorities in the Territory, and indeed without certain European members of the Administration taking part in it. Without help from the Administration, the actual organization of a meeting of some 3,000 burgomasters and communal councillors, convened by the Minister for the Interior as early as 25 January 1961, is barely conceivable. The Administration has sought to cover up the part played by its agents, whether civilian or military, in those arrangements, e.g. the dispatch of invitations (annex XVI), the provision of transport and accommodation, etc. It has denied all knowledge of the true objects of the meeting; the object officially announced by the Minister for the Interior was to issue directives for the country's pacification.

176. According to evidence assembled by the Commission, Belgian officials were present at the meeting, the real object of which was revealed in the opening words of the speech delivered by Mr. Rwasibo, Minister for the Interior. It was a question no longer of issuing directives for the country's pacification, but of abolishing the monarchy, electing a definitive legislative assembly and setting up a new Government. Apparently, the representatives of the Administering Authority who were present made no attempt to explain these decisions' unlawful nature in the light of existing laws. This is all the more strange when one considers the powers held by them under the Legislative Order of 25 October 1960.

177. The new assembly was able to meet in perfect freedom on 1 February 1961 at Kigali and adopt a Constitution of eighty articles, apparently drawn up in forty-eight hours.

178. PARMEHUTU, which had triumphed in the communal elections of July but which in October had accepted a Council with a Hutu membership of thirty-five out of a total of forty-eight, now obtained a definitive Council 100 per cent Hutu, with forty-four out of forty-eight members belonging to PARMEHUTU (the other four belonging to APROSOMA), and a recast and entirely Hutu Government from which the two

Tutsi and the two European Ministers had been eliminated.

179. In this way PARMEHUTU was assured of absolute supremacy. The Mwami was removed from office. The symbols of the old régime (Kalinga and Biru) were abolished. A "democratic and sovereign" Republic was proclaimed, which recognized, however, the temporary trusteeship of the United Nations with Belgium as the administering Power. Lastly, a Supreme Court was established, one of whose members was, incidentally, a European official.

180. The "illegal" nature of these measures was explained away on the ground of the population's inevitable reactions against the decisions of the United Nations and the Belgian Government. Every step was at once taken to secure recognition of the new régime by Brussels. The United Nations Commission was then invited to take part in tripartite talks with the new Government and the representatives of the Administering Authority, and a few days later relations between the Belgian authorities and the "revolutionary" Government, which were supposed to be confined to the administrative minimum, were placed on a firm footing by the Belgian Government's official *de facto* recognition of the Government of Rwanda.

181. On 8 February 1961, in a *note verbale* addressed to the Secretary-General of Ruanda-Urundi, the Commission stated its fundamental position in the matter, explaining that "as the decisions of the Belgian Government modify the political and legal aspects of the question of Ruanda-Urundi as they existed at the time of the adoption of General Assembly resolutions 1579 (XV) and 1580 (XV), the United Nations Commission for Ruanda-Urundi, whose terms of reference are strictly defined by these resolutions, considers that only the General Assembly is competent to evaluate the new factors in the situation and to take any decision in that connexion" (annex XXIV). The Commission accordingly deemed it wise not to go to Rwanda, lest contact between it and the new Government might give rise to some misunderstanding.

182. The development of the situation in Rwanda, even more than that in Burundi, is the subject of differing assessments. Some people consider that the *de facto* situation, even though brought about by violence done to legality, is clear-cut and satisfactory. Since November 1960 there have been no more incidents. What has been gained by the social revolution in Rwanda has been permanently consolidated. The new institutions have the support of the vast majority of the population. They will be able to operate, and gain from experience, until independence is proclaimed. The new Government is friendly to Belgium, and the mistakes made in the Congo will not be repeated in Rwanda. Lastly, the embarrassing problem of the Mwami had been settled once and for all.

183. Others, however, think that the situation cannot be viewed in so rosy a light. A "racial" dictatorship of one party has been set up in Rwanda, and developments of the last eighteen months have consisted in the transition from one type of oppressive régime to another. Extremism is rewarded, and there is a danger that the minority may find itself defenceless in the face of abuses. One example is the announcement made by the President of the Republic to the effect that henceforth schools may be closed or requisitioned if the pupil percentage does not correspond to the ethnic distribution

of the population. It must be feared that the Tutsi will now believe they have nothing more to lose and that their only remaining hope of defence lies in recourse to violence, seeing that all prospect of a compromise solution has finally vanished. The problem of placing Africans in official positions has become much more complicated, owing to the elimination of the Tutsi who had hitherto been advantaged by the educational system; and this bodes ill for the reality of future independence.

184. In an atmosphere apparently characterized, on the one hand, by what certain official explanations have indicated to be a crisis in the authority of the administering Power and, on the other, by systematic vilification of the United Nations, with the open or tacit support of certain agents of the Administration, it is greatly to be feared that the more intransigent of the parties in power may be encouraged in their design to place the Organization before a fresh series of accomplished facts and be tempted to confront it with decisions yet more serious, constituting actual defiance and violation of the provisions of the Trusteeship Agreement.

185. The Commission prefers to refrain from excessive pessimism, and hopes that some of these fears are exaggerated; but it considers that, taken as a whole, the political situation in Rwanda is distinctly disquieting.

## VI. Effect given to General Assembly resolutions 1579 (XV) and 1580 (XV), and comments

186. Before concluding this report, the Commission considers it useful, at this stage, to deal one by one with the questions raised by General Assembly resolutions 1579 (XV) and 1580 (XV), and to sum up the present situation. It should be noted that the unforeseen circumstances which the Commission had to face on its arrival in the Territory, and which have been explained at length above, prevented it from studying each of these questions as thoroughly as it would have wished.

### A. RESOLUTION 1579 (XV). QUESTION OF THE FUTURE OF RUANDA-URUNDI

#### 1. *Amnesty* (operative paragraph 2)

187. The resolution "urges the Administering Authority to implement immediately measures of full and unconditional amnesty", and sets forth one of the objectives, *viz.* "to enable political workers and leaders who are in exile or imprisoned in the Territory to resume normal, democratic political activity before the elections".

188. On a number of occasions in the past, the Administering Authority had explained its point of view. On the one hand, it maintained that there were no convicted and sentenced political prisoners, but only persons sentenced under ordinary law for such crimes and offences as murder, the infliction of bodily harm, torture, arson, looting, etc. On the other hand, the atmosphere in the Territory was such that the freeing of certain prisoners, or the return of certain individuals who had fled abroad, might lead to violent reaction on the part of the population, while in some cases the lives of persons pardoned might, indeed, be endangered.

189. At the Ostend Conference, the Minister for African Affairs announced that on the occasion of the marriage of His Majesty King Baudouin, on 14 December 1960, a series of measures of pardon had been ordered.

190. In his letter of 25 January 1961, the Minister for Foreign Affairs stated that the Belgian Government would apply a general amnesty very shortly and that only prisoners convicted and sentenced for crimes under ordinary law would be excluded from it, since it would be intolerable for the amnesty to be extended to murderers and torturers. Finally, in its communication of 3 March 1961, the Belgian Government declared that it intended to amnesty the greatest possible number of individuals in so far as public order and, more particularly, the security of persons would allow. With this in view the Belgian Government would be prepared to set up immediately a committee of *magistrats* and would welcome a representative of the United Nations to watch its proceedings. The duties of this committee would be to examine the case-records and suggest criteria for giving effect to the amnesty measures. The Belgian Government renewed the proposal made to the United Nations Commission that the latter should consult all the court records, and considered that the Commission would greatly facilitate the Government's task if it indicated the cases which, in its view, should be re-examined.

191. The Commission considers that the Belgian Government has not stated the problem in the correct manner; and it has, both at Brussels and at Usumbura, made its point of view clear to the Belgian authorities. General Assembly resolution 1579 (XV) recommends a full and unconditional amnesty. It is, therefore, not a question of seeking out individual cases in which an amnesty might be applied, but, on the contrary, a question of a collective pardon recommended for political reasons, as is clear from the letter and spirit of resolution 1579 (XV). If for reasons of security and public order (which are the responsibility of the Administering Authority), or for reasons of principle, the Administering Authority considers that in certain individual cases convicted and sentenced prisoners cannot receive the benefits of the full amnesty, it is for that Authority to select such cases and to justify its decision. In any case it is not for the United Nations Commission to go through thousands of prisoners' records and to indicate those which, in its opinion, ought to receive special treatment. The Commission does not consider that the United Nations should act as a "court of appeal" or "reviewing commission".

192. Furthermore, the Commission notes that the Belgian Government is prepared to set up a committee of *magistrats* to suggest, in particular, criteria for giving effect to the amnesty measures. The Belgian Government would welcome the presence of a United Nations representative to watch the committee's proceedings. The Commission considers that it is for the General Assembly alone to take a decision on this suggestion.

#### 2. *Emergency régime* (operative paragraph 2)

193. The Commission notes that the emergency régime in Ruanda-Urundi was brought to an end on 14 November 1960, but that extremely wide powers had previously been accorded the Administering Authority under the Legislative Order of 25 October 1960—powers constituting a threat to the free exercise of public rights.

194. The Commission notes that, in the communication of 3 March 1961, it is stated that these legislative provisions have been applied only in a few exceptional cases and that, moreover, it has been decided to make the existing system more flexible.

195. The Commission considers that the legislative measures of 25 October 1960, which deprive all against whom they are exercised of any possible recourse to law, should be amended in such a way as to eliminate everything constituting an interference with, or threat to, the exercise of public freedoms. It is convinced that there are more appropriate ways of maintaining law and order than by giving to the agents of the administration unlimited and arbitrary powers. It considers, in particular, that the judiciary should be closely involved in all questions in which the exercise of public freedoms is affected.

### 3. *Refugee problem* (operative paragraph 3)

196. According to information received, it seems that a certain number of refugees have been able to settle down again in their region of origin and that others have elected to settle down elsewhere in satisfactory conditions. However, there are apparently still numbers of refugees in camps or elsewhere in Rwanda who are not being resettled. There are also a certain number of refugees abroad, particularly in the Congo and Uganda.

197. In this connexion, the Administering Authority explained that there was now no objection to the return of refugees in general, but that some of them were afraid to return for fear of the treatment they might receive at the hands of the population. As for political refugees who are abroad, repatriation arrangements do not imply immunity from any legal action which may be pending against them. In his letter of 25 January 1961, the Minister for Foreign Affairs stated that the General Assembly's wishes in regard to the return and reclassification of political refugees met with complete agreement on the part of the Administering Authority.

### 4. *Pre-electoral conference* (operative paragraph 4)

198. A Conference was held at Ostend on 7-12 January 1961. As the Commission has shown above (see paragraphs 142 to 155), it is convinced that if this Conference had been carefully prepared, if it had taken place in an atmosphere receptive to the United Nations resolutions, and if greater emphasis had been laid on the need for a conciliatory and constructive outlook, considerable progress would have been made towards achieving a nation-wide reconciliation in Rwanda, lessening the tension in Burundi, and clearing the atmosphere so as to prepare for the legislative elections under the best possible conditions. In this way solid foundations could have been laid to ensure the Territory's rapid achievement of autonomy and independence with a minimum of trials and tribulations.

### 5. *Military bases and armed forces* (operative paragraph 6)

199. The Commission found no indication that the Administering Authority might use Ruanda-Urundi "as a base, whether for internal or external purposes, for the accumulation of arms or armed forces not strictly required for the purpose of maintaining public order in the Territory". It sees no reason for doubting the Administering Authority's statement that the Belgian forces in Ruanda-Urundi number about 1,200 men.

200. However, the Commission desires to emphasize the need for ensuring that the Belgian troops which are

there to keep order and protect the country's frontiers are not used for intimidating the local population and that the native police forces now being created are not employed as a political weapon.

201. The Commission notes with regret that the situation inside the Republic of the Congo (Leopoldville) and the incidents taking place on the frontiers of Ruanda-Urundi, in which Congolese and Belgian troops are implicated, help to maintain a feeling of uneasiness in the Trust Territory. In particular, considerable dismay was caused by the permission given to Congolese troops to pass through the Territory from Usumbura to Bukavu on 1 January 1961 and by the resulting frontier incident at Shangugu, which cost the lives of two officials of the Rwanda administration.

202. Other frontier incidents have been reported: on 12, 13 and 14 January 1961 shots were exchanged at Kisenyi and Congolese forces crossed the border into Rwanda, but were thrown back; on 13 January near Uvira (Congo), eight Belgian soldiers from Ruanda-Urundi who had taken the wrong road on leaving Usumbura were arrested; on the same day an indigenous provincial administrator was arrested at the frontier near Usumbura by Congolese soldiers, sent to Bukavu where he was imprisoned, thence to Stanleyville, and finally released on 3 February; a further incident took place on 6 February at the Congolese frontier between Usumbura and Uvira; finally, Congolese troops attacked a Belgian official from Ruanda-Urundi and damaged his vehicle.

203. The Commission has received several complaints, particularly from political parties in Burundi, about unsafe conditions on the frontiers.

### 6. *Date of the elections* (operative paragraph 7)

204. The Belgian Government declared, as stated above, that it agreed to the General Assembly's recommendation and that it had been decided to put off the legislative elections. When this decision was taken (21 January 1961) the Administering Authority hoped that a date could be fixed for the elections following as closely as possible the resumption of the General Assembly's fifteenth session. Many people interpreted this as implying that the elections would probably be held in March 1961. The situation has been modified by the events at the end of January, and especially by the holding of second-stage elections in Burundi and Rwanda, and though the Belgian Government still plans to hold direct legislative elections, their urgency is no longer emphasized. The Belgian communication of 3 March 1961 stresses that these elections must be organized with the goodwill of the indigenous people, and that it would be deplorable if elections advocated jointly by the United Nations and the Administering Authority were to be boycotted. The local administration has informed the Commission that in its opinion, in view of recent events, a few months at least must elapse before it would be possible to organize elections in a calm atmosphere.

205. The Commission considers that a reasonable compromise should be sought between adequate time to allow political tension to subside and ensure favourable conditions for the elections, and the danger of excessive delay which would tend to sanction the achievement of power by certain political parties to the detriment of the others.

## 7. Supervision of the elections and conditions for holding the elections (operative paragraph 8 and 9)

206. The Commission considers that more observers should be placed at its disposal than the ten contemplated in document A/C.5/857. It also feels that it should have a minimum period of two months, from the time of its arrival in the Territory, to ensure effective supervision of the elections.

207. With regard to electoral legislation, the basic principles are set forth in Legislative Orders Nos. 02/17 and 02/19 of 15 January concerning Rwanda and Burundi, respectively. This legislation should if necessary be amended in consultation with the Commission.

208. The two essential questions would appear to be women's suffrage and the polling system.

209. With respect to women's suffrage, this has been accepted in principle for the future, but only men would have the right to vote at the forthcoming elections. There does not appear to be any definite feeling in the Territory for or against votes for women. The practical objection to votes for women in elections to be held in the immediate future appears to be the time required for compiling the electoral rolls (which were established for men on the occasion of the 1960 communal elections) and the fact that women do not possess identity papers.

210. With respect to the polling arrangements the main problem is whether the system of scribes should be retained or replaced by some other form of polling more suited to a population with a large proportion of illiterates. Since the Commission has received numerous complaints and criticisms on the employment of scribes by the voters it suggests that the electoral legislation and the polling methods should be completely and thoroughly re-examined in the light of experience gained in other territories in order to provide better safeguards for the freedom and secrecy of the ballot.

### B. RESOLUTION 1580 (XV). QUESTION OF THE MWAMI

211. In a letter dated 25 January 1961 from the Ministry of Foreign Affairs, the Belgian Government agreed to the holding of a referendum on the question of the Mwami of Rwanda, but expressed the view that his return should not be contemplated before the elections, since his presence could only be a source of serious internal conflict.

212. The Gitarama *coup d'état* of 28 January 1961, unilaterally proclaiming the establishment of the Republic and the abolition of the monarchy has not made this problem any easier to solve.

213. The communication of 3 March 1961 gives no new indication on the attitude of the Belgian Government.

214. The Commission believes that the referendum on the Mwami might be organized in Rwanda simultaneously with the legislative elections.

215. It might consist of the following two questions:

(a) Do you wish to preserve the institution of the Mwami?

(b) If so, do you want Kigeli V to be the Mwami of Rwanda?

## VII. Conclusions reached and recommendations made by the Commission

216. The implementation of General Assembly resolutions 1579 (XV) and 1580 (XV) has clearly been made infinitely more difficult by the recent events in Ruanda-Urundi. These events have indeed completely changed the political and legal background of the situation as it appeared to the General Assembly in December 1960.

217. The Assembly is now confronted with a new state of affairs which raises problems of vital importance. On the one hand there are the responsibilities of the United Nations towards the people of the Territory, and the obligations of the Administering Authority as defined in the Trusteeship Agreement. On the other hand there is the scope and the delimitation of the effective trusteeship authority exercised by Belgium, the evaluation by the United Nations of the nature and extent of the autonomy granted to the new indigenous institutions, and finally the nature of any contacts established with these institutions.

218. The Commission has endeavoured all through this report to keep the General Assembly informed as to the events that have taken place and provide it with the data required for appreciating the situation. It is obviously for the General Assembly alone to draw the necessary conclusions and to define the attitude of the United Nations towards the different aspects of the situation.

219. The Commission considers that it must at all events specify forthwith certain conditions it would like to enjoy in order to be able to carry out its task and achieve efficient supervision of the voting operation in the spirit of General Assembly resolutions 1579 (XV) and 1580 (XV).

### A.

220. There is no doubt that trusteeship can and should only be exercised with due regard for the aspirations and wishes of the people concerned. Nevertheless, until such time as these people are able to express their views freely with proper safeguards acceptable to the United Nations, the authority responsible for the administration of the Territory must alone assume the responsibilities arising out of its mandate. The Commission therefore considers that the Administering Authority should state unequivocally not only that it is ready to assume all these responsibilities, but also that the efficient and whole-hearted exercise of its powers will at all times ensure the execution of any decisions it may take in implementation of the General Assembly's recommendations. This means that until the first legal government is finally established, as a result of elections supervised by the United Nations, no local authority should be able, *de facto* or *de jure*, to obstruct the application of these decisions. The authority exercised by the administering Power should be sufficient to prevent any challenge or threat to legality.

221. With this in mind the Commission has noted with satisfaction the assurances given by Belgium in the communication of 3 March 1961 in which it reaffirms that "within the framework of the Trusteeship Agreement, Belgium remains solely responsible for the administration of the Territory" (annex XXVII). These assurances would benefit from closer definition along the lines indicated above.

## B.

222. So long as the administration in the Territory does not accept the policy of the Belgian Government as laid down in conformity with the recommendations of the General Assembly, there is a danger of independent plans of action being pursued which would jeopardize the implementation of the general policy. The Commission considers it one of the indispensable conditions for the performance of its duties that the agents of the administration in the Territory should sincerely carry out and respect at all levels any policy drawn up with a view to the achievement of the common aims of Belgium and the United Nations in preparing the independence of the Territory.

## C.

223. The Commission has made it sufficiently clear that it deplores the atmosphere of mistrust and hostility in the Territory towards the United Nations. It has always considered that a high degree of frankness and fairness in co-operation between the Administering Authority and the United Nations would provide the best guarantee that the Trust Territory would go forward towards independence in the most favourable conditions of peace and harmony. It is imperative for this co-operation to find expression first of all in a climate not of mistrust or defiance, but of respect for the United Nations as mandating authority, in which the people would be systematically informed of the disinterested part played by the Organization in its efforts to speed up the achievement of independence by the Territory.

224. To this end, the Commission has no hesitation in recommending to the General Assembly that a United Nations Information Centre should be set up with all possible speed in Ruanda-Urundi. The purpose of this Centre would be to assist the local administration in instructing the population on the real function, activities and meaning of the United Nations.

## D.

225. The Commission considers it essential that all possible measures should be taken in advance to ensure that the material conditions for the work of the Commission and its staff are provided by the Administering Authority so that the supervision of the elections can proceed smoothly.

226. In this respect, the Commission notes with pleasure the recent assurances given by the Belgian Government that it is anxious to co-operate locally with the United Nations Commission by providing assistance for installation and travel, by regular exchanges of information, and by a consistent policy of real co-operation. In addition, it notes that the Administering Authority recognizes the right of the Commission to use the official broadcasting facilities for communication with the people. However, it can only regret that the Belgian Government has seen fit to qualify this acceptance in principle with a reservation to the effect that the exercise of the right will be subject to application procedures to be defined, which would imply the possibility of censorship. This attitude seems to indicate that the Administration still has some misgivings as to the Commission's intentions in regard to the use of the official broadcasting facilities.

## E.

227. As stated above, the Commission considers that nothing should stand in the way of the normal democratic political activity of the population during the preparations for the electoral campaign and throughout the campaign itself. It is therefore convinced that the declaration of amnesty and the amendment of the legislation of 25 October 1960 along the lines indicated in paragraph 195 above are necessary to enable "political workers and leaders who are in exile or imprisoned in the Territory to resume normal, democratic political activity before the elections". It also considers that the Administering Authority should at the same time refrain from introducing in the future any restrictive measures affecting public freedom, and from taking any action which might favour one group or party at the expense of another, or be contrary to absolute equality of opportunities or rights among the existing political groups.

228. Among the desirable guarantees, the Commission attaches particular importance to the question of the impartiality of the Administering Authority's agents who will be in charge of the organization of the legislative elections, and considers that it would be unwise to leave this question to the discretion of the governments of Rwanda and Burundi.

(Signed) Max H. DORSINVILLE  
Chairman

Majid RAHNEMA  
Ernest GASSOU

## Document A/4706/Add.1

## ANNEXES

[Original text: French]  
[8 March 1961]

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## ANNEX I

**Conclusions reached at the meeting on Rwanda, held at Brussels (30 May-7 June 1960)**

The meeting adopted the following conclusions:

1. Any attempt to draw up a detailed and comprehensive plan for national reconciliation would be premature at the present time.

This problem is complicated by the absence of two members of the Provisional Special Council of Rwanda, representing one trend of Rwandese opinion, and by the dispute between the Mwami on the one hand and three of the four large national parties represented in the Provisional Special Council on the other.

It is nevertheless imperative that various steps to restore peace in the State should be taken immediately and in any event for the transitional period between the closure of the

Brussels meeting on Rwanda and the end of the elections. In this spirit, the meeting, considering that public opinion is divided with regard to the Mwami Kigeli V personally and even with regard to the monarchy as an institution, and that Rwanda will not be able freely to adopt the form of Government it prefers until the institutions resulting from the elections have been set up, recommends that the Mwami and the Provisional Special Council should jointly draw up the final text of a solemn proclamation, the main features of which have already been embodied in parallel drafts prepared by the Mwami and the Council.

The Administering Authority will ensure that the contents of this proclamation are fully complied with.

Considering that the institution of the Kalinga (ceremonial drum decorated with relics of conquered enemies) and the college of the Abiru (custodians of the traditional secrets) are regarded by part of the population as an instrument of domina-

tion and witchcraft which inhibits the free expression of democratic sentiments, the meeting recommends the local trusteeship administration to give the people full and objective information on this subject. The meeting hopes that such information will enable public opinion to develop in a manner more compatible with the imperatives of civilization. It recommends, in particular, that consideration be given to the replacement of the Kalinga by a national emblem acceptable to every stratum of the population.

The meeting has been informed that the judicial investigation of all criminal offences committed in connexion with the disturbances of November 1959 in Rwanda will be resolutely pursued. Furthermore, the extradition of all persons guilty of criminal offences who are now outside the country will be applied for as soon as possible.

The meeting takes note of these statements.

2. The meeting endorses the time-table for the communal elections and the laws and regulations governing the same. It recalls that the Decree of 25 December 1959 makes it a punishable offence for any person to seek to impede the proper conduct of the elections in any manner and specifically by inciting the people to abstain from voting. It recommends that these provisions should be strictly enforced.

3. The meeting recommends that the powers conferred on the Provisional Special Council should be extended, in particular by granting the Council a right of initiative in the exercise of the powers conferred on the Mwami by the Decree of 14 July 1952. Moreover, these measures will be strengthened by the decentralization of services from Usumbura to Kigali. It is recommended that consideration be given to assigning specific spheres of activity to the various councillors, while provisionally reserving the power of decision to the Special Council acting as a body. These measures can be speedily carried out. The legislation will be amended as necessary, as a rule by Legislative Order.

The meeting urges, in particular, that the implementation of all main plans and detailed measures relating to education should be held in abeyance until they have been examined by the Provisional Special Council. Noting that there exists in educational establishments and in the distribution of scholarships and fellowships a regrettable disproportion as between children from families of different means, race or social background, the meeting recommends that henceforth the sole criterion should be the candidate's merit, to the exclusion of all considerations of means, social status or race.

The meeting recommends that representatives of Rwanda should henceforth sit in the Colonial Council, which should be renamed the Legislative Council of Ruanda-Urundi. It recommends that these representatives should be appointed after consultation with the Provisional Special Council.

4. The meeting hopes that the Africanization of the civil service will be pursued with all dispatch. It recommends that the measures adopted for this purpose should be taken in collaboration with the Provisional Special Council.

5. The meeting endorses in principle the holding of a general meeting on Ruanda-Urundi.

6. The meeting, being aware of the importance of current political developments in Rwanda, addresses to the people and the political leaders an urgent appeal for the preservation of law and order, especially during the forthcoming communal elections, which represent the starting-point on the road to the establishment of genuinely democratic institutions, which in its turn will be the first phase in the emancipation of Rwanda.

## ANNEX II

### Conclusions reached and recommendations made at the talks on Rwanda, held at Kisenyi (7-13 December 1960)

#### A. SUMMARY OF CONCLUSIONS

1. The Rwanda talks, which were held at Kisenyi from 7 to 13 December and were attended by representatives of the Administering Authority, the Provisional Government and the

four main parties in Rwanda, led to some significant conclusions, the most important of which were adopted unanimously.

2. The essence of these conclusions was that organs of internal self-government—i.e., a Legislative Assembly elected by direct universal suffrage, and a Government—should be set up in Rwanda in the near future.

3. The principle of unicameral assembly, to be known as the Legislative Assembly and to consist of forty-four members elected at the district level, three to eight deputies being elected from each district, was adopted unanimously.

4. The APROSOMA, UNAR and RADER parties proposed that membership in the Legislative Assembly should be incompatible with the offices of Minister, Secretary of State or burgomaster. PARMEHUTU opposed that proposal. The Provisional Government upheld that limitation in the case of the Prime Minister.

5. Several procedures were proposed for the replacement of the Chief of State when he was absent or incapacitated. An amendment was ultimately adopted under which a replacement for the Chief of State would be elected by the Legislative Assembly. Pending the Assembly's decision, its President or the Ministers assembled in council would act for the Chief of State.

6. The Assembly would be empowered to lay the groundwork for the permanent organs of the State, and if the occasion should arise, to propose to the Administering Authority that those organs should be set up even in advance of independence.

7. The expression "Chief of State", which neither excludes nor implies any particular form of Government, was objected to by UNAR and RADER, which urged that the term "Mwami" should be used.

8. Unanimous agreement was reached on the legislative and executive powers of the State, to be exercised through edicts and orders, respectively. Legislative power would be exercised collectively by the Chief of State and the Legislative Assembly. Edicts would be approved and promulgated by the Chief of State. Executive power would be exercised by the Chief of State; orders made by him would be without effect unless countersigned by a Minister.

9. The Government would be composed of a Prime Minister and of Ministers who might be assisted by Secretaries of State. The Chief of State would have the power to appoint and dismiss the Prime Minister subject to the concurring opinion of the Resident. The Chief of State would have the power to appoint and dismiss the Ministers and Secretaries of State after consultation with the Prime Minister and subject to the concurring opinion of the Resident (*adopted unanimously*).

10. The Government would appear before the Legislative Assembly in order to obtain a vote of confidence, to be expressed by an absolute majority of the votes of all the members of the Assembly. The Government, a Minister or a Secretary of State might be called to account by the introduction of a motion of censure signed by not less than one-fifth of the members of the Assembly. In order to be adopted, a motion of censure would require an absolute majority of the votes of all the members of the Assembly. If a motion of censure was adopted, the Government or the Minister or Secretary of State concerned would tender its or his resignation to the Chief of State (*adopted unanimously*).

11. The State budget would be enacted by edict on the proposal of the Government (*adopted unanimously*).

12. A decision was reached on the qualifications that must be met by voters and candidates. In order to give refugees and disaster victims returning to their communes every opportunity to vote, the minimum period of residence was reduced to fifteen days (*unanimous decision*).

13. It was decided that persons forbidden or required to reside in a particular place should be allowed to vote and to stand for election. They could do this in their commune of origin or previous residence provided that their participation in the elections was not prejudicial to law and order.

14. It was decided that aliens should have the vote subject to the various residence qualifications prescribed by the draft

legislative order, under which special privileges were granted to Barundi, Belgians and Congolese. This provision was adopted unanimously with the exception of the UNAR delegation, which accepted the principle of allowing aliens to vote but asked that all should be placed on the same footing.

15. Differences of opinion emerged with regard to women's suffrage. The principle, which is embodied in the platforms of most of the parties, was adopted unanimously, but PARMEHUTU, APROSOMA, the Provisional Government and the Administering Authority did not feel that it could be applied to the forthcoming legislative elections, owing mainly to the practical difficulties involved.

16. For the legislative elections, the participants in the talks adopted unanimously the principle of balloting by list and proportional representation, as well as the procedure laid down in the draft.

17. The chapters concerning appeals against the election results and concerning penalties were endorsed unanimously, taken as a whole, but the articles making it unlawful to incite the electorate to abstain from voting were criticized by UNAR and RADER, which asked that the parties should be left free to give their members instructions on voting or abstention.

18. The participants unanimously requested that provisions confirming parliamentary immunity should be included in the draft.

19. The date of the legislative elections was discussed; UNAR and RADER requested that the elections should be held, not on 15 January 1961 as planned, but only after calm had been fully restored in the State. PARMEHUTU, APROSOMA and the Provisional Government, on the other hand, supported the date of 15 January as the last date compatible with the timing adopted for accession to independence.

20. After some discussion, it was agreed unanimously that the system of written ballot-papers and a single ballot-box should be used. As to the organization of polling committees, all parties ultimately expressed themselves satisfied with the facilities afforded party representatives to be present at all electoral operations.

21. The participants agreed unanimously that United Nations observers should attend the legislative elections.

22. The maximum number of three votes per ballot-paper was agreed to unanimously with the exception of APROSOMA, which would have preferred to allow as many votes as there were seats to be filled in the constituency.

#### B. RECOMMENDATIONS

23. In addition to reaching the above conclusions on the organizational provisions relating to the organs of internal self-government and the electoral system for the forthcoming legislative elections, the representatives of the political parties, the Provisional Government and the Administering Authority taking part in the talks were able to lay down the main principles of action which must henceforth be scrupulously applied if the State is to develop on sound lines.

#### *Restoration of calm*

24. The participants in the talks noted that calm and relaxation now prevailed in Rwanda. The relaxed atmosphere was reflected in the sincerity with which the representatives of the political parties, the Provisional Government and the Administering Authority had co-operated during the talks. It was in this spirit that the representatives of the political parties suggested that meetings attended by the four national parties (one member of each party), the Provisional Government and the Administering Authority should be held at regular intervals of not more than one month in order to preserve contact. This arrangement should be continued at least until the permanent institutions had been set up.

25. As a related measure, Rwandese emigrants still living outside the State would be reminded that they were at liberty to return to the State before the elections in order to take part in political activity. All necessary steps would be taken to protect them, their families and their property. Such protective measures did not, of course, mean that charges might

not be brought against some of them for offences committed before they had left the State. Returning emigrants would be specially recommended to model their behaviour and attitudes on the rules to be laid down in the code of good conduct referred to in section 3 below. A programme for the rehabilitation or settlement of refugees had already been drawn up and applied. They were given an assurance that, should they become entitled in the future to compensation for the loss or destruction of their property, their resettlement would not prejudice the exercise of the rights thus acquired.

#### *Attitude of the Administering Authority*

26. The participants in the talks unanimously expressed their wish that the Administering Authority should take an attitude of strict impartiality towards the political parties. They took note of the Administering Authority's statement that it would lead the State to independence under orderly and peaceful conditions. The participants considered that the Administering Authority's attitude should in particular be characterized by:

Scrupulous respect in upholding equal freedom of expression for all;

Neutrality in the actions of every member of the Administration, at both the State and the trusteeship level;

A policy in the conduct of the electoral campaign whereby the Administration would confine its activity to an objective attempt to educate and inform the people.

27. In addition, the Administering Authority and the Provisional Government should take impartial action against any abuses with regard to the local authorities. In the same spirit, the Administering Authority should take action against the parties, their local branches and party supporters as regards abuses committed for example, in connexion with the electoral campaigning.

#### *Action by the political parties*

28. The representatives of the parties taking part in the talks expressed their willingness in principle to participate in the elections and to invite the people of the State to participate actively in the voting. They called on the people to remain calm and to prepare worthily for that act of citizenship, which was vital to all and decisive for the State.

29. In the same spirit, they would abide by what the refugees were told about their return to the State and their participation in political activity.

30. While the electoral campaign was in progress, the parties and the campaigners would scrupulously comply with the code of good conduct in political activity that was to be drawn up in the near future and would apply to all parties and to all their supporters without distinction. They would accordingly abstain from such actions as:

Direct or indirect attacks on individuals or constituted authority;

Rousing or inciting the people to disturbances or agitation;

Bringing pressure to bear on the voters in favour of monarchy or any other form of Government.

31. It was further urged that the code of good conduct should specify that the political programmes and opinions put forward by holders of political office in their capacity as party members should not be protected in virtue of such office.

### ANNEX III

#### **Conclusions reached at the talks on Burundi, held at Kitega (16-20 December 1960)**

1. The Burundi talks, which were held at Kitega from 16 to 20 December 1960, were attended by representatives of the Administering Authority, the State Commissioners, the members of the Interim Committee of Burundi, and delegations of the main parties which had demonstrated their strength in the communal elections: PDC (Parti démocrate chrétien), UPRONA (Unité et progrès national), PDR (Parti démocratique rural), PP (Parti du peuple), UNB (Union

nationale du Burundi) and RPB (Rassemblement populaire du Burundi).

2. Significant conclusions were reached at the talks, most of them unanimously. The essence of these conclusions was that organs of internal self-government—i.e., a State Council elected by universal suffrage, and a Government—should be set up in Burundi in the near future.

3. The principle that there should be a unicameral assembly, to be known as the State Council, was adopted unanimously. The members of the State Council would be elected by universal male suffrage, on the basis of one councillor per constituency. Each constituency would consist of one or more communes, grouped in such a manner that the number of voters was neither less nor greater than 8,000 by more than one-third of that number. The number of registered voters in the communal elections had been 475,655. The Legislative Assembly of Burundi would accordingly have some sixty members (adopted unanimously with one exception).

4. The single seat to be filled in each constituency would be assigned to the list which obtained the greatest number of votes (adopted unanimously with the exception of one participant, who proposed that the seat should be allotted to the candidate who obtained the greatest number of votes).

5. Membership in the State Council would be incompatible with the offices of Minister, magistrate or judge of the customary courts, with service in the forces of Ruanda-Urundi or in the police force, and with the functions of official of the Administering Authority or official of the State Administration.

6. The participants in the talks unanimously endorsed the principle that aliens should be entitled to vote and to stand for election. Wide differences of opinion emerged, however, with regard to the manner in which aliens should be granted these political rights. Some of the participants wanted the rights in question to be accorded to all aliens without distinction, subject to uniform residence qualifications. Others, guided by the Interim Decree and by the arrangement adopted in Rwanda, preferred a graduated system of political rights, to be accorded, in order of preference to:

- (a) Ruandese and Belgians;
- (b) Congolese;
- (c) Aliens.

7. Still others were willing that such rights should be granted only to Belgians. In view of these wide differences of opinion, many participants considered that the question was not ripe for settlement and that the decision should be left to the future State Council.

8. The principle of women's suffrage was universally accepted, but the participants acknowledged that preliminary education was essential for the women members of the electorate and that it was a practical impossibility to give them the vote at the forthcoming legislative elections.

9. Some qualifications for election were discussed. Several participants asked that the minimum age should be increased from twenty-one to twenty-five years, to ensure that the councillors would be fully mature. Others, by contrast, felt that it would be a mistake to keep the management of the State's affairs out of the hands of young people, especially recent graduates.

10. Similarly, many participants asked that candidates for election to the Council should be required to produce evidence of at least two to three years of post-primary education. Others considered that literacy should be a sufficient qualification, so that persons of little education but of known common-sense and experience and undoubted public influence would not suffer.

11. The President and Vice-President of the State Council might be assisted in the direction of proceedings by an official to be appointed by the Resident on the proposal of the President of the Council.

12. The provision that the President of the Council should act for the Mwami in the latter's absence or inability to act was adopted by a majority of the parties. One participant proposed that the Head of the Government, rather than the President of the Council, should perform that function.

13. Legislative power would be exercised collectively by the Mwami and the State Council, through edicts approved and promulgated by the Mwami. Either branch of the legislature might initiate edicts (*adopted unanimously*).

14. Executive power would be exercised by the Mwami through orders. No order would take effect unless it was countersigned by the Prime Minister and the competent Minister (*adopted unanimously*).

15. The State Government would be composed of a Prime Minister and Ministers. The State Council would nominate, for appointment by the Mwami, the person who would be called upon to form the Government. The Mwami would appoint that person subject to the concurring opinion of the Resident. After forming the Government, that person would present it to the Council in order to secure a vote of confidence, which would be expressed by an absolute majority of the votes of all the members of the Council. The Mwami would have the power to appoint and dismiss the Ministers, subject to the concurring opinion of the Resident. The Ministers, before taking up their duties, would take an oath before the Mwami to discharge their duties faithfully and to uphold the laws of the district and the State (*adopted unanimously*).

16. The Government or a Minister might be called to account by the introduction of a motion of censure signed by not less than one-fifth of the members of the Council. In order to be adopted, a motion of censure would require an absolute majority of the votes of all the members of the Council. If a motion of censure was adopted, the Government or the Minister concerned would resign (*adopted unanimously*).

17. The State budget would be enacted by edict on the proposal of the Government (*adopted unanimously*).

18. The draft order on the legislative elections was adopted without major changes. The date of 15 January 1961 was endorsed unanimously for the following reasons:

The importance of speedily replacing the provisional institutions by the institutions of self-government set up as a result of the elections;

The importance of a period of self-government long enough to allow for training in politics and government;

The serious disadvantages, especially from the economic standpoint (food crops and coffee season), of the period of May-June proposed by the Fourth Committee of the United Nations General Assembly.

19. The draft Order containing the organic regulations of the State Council was also adopted without major changes.

20. The participants in the Kitega talks did not propose, as the participants in the Kisenyi talks had done, the preparation of a protocol on conclusions and recommendations to be signed by all delegations. Political conditions in Burundi did not, like those in Rwanda, involve a problem of restoring calm. Hence the foregoing document is not an official record of the talks but merely a summary of the conclusions that were reached.

#### ANNEX IV

##### Letter dated 27 December 1960 from the Chairman of the United Nations Commission to the Permanent Representative of Belgium to the United Nations

I have the honour to refer to resolution 1579 (XV) on the future of Ruanda-Urundi, which was adopted by the General Assembly on 20 December 1960.

The members of the Commission provided for in paragraph 8 were elected on the same date and are as follows: Mr. Max H. Dorsinville (Haiti), Chairman; and Mr. Majid Rahnema (Iran) and Mr. Ernest Gassou (Togo), members.

I should be grateful if you would inform your Government that this Commission is ready to assume the responsibilities entrusted to it by resolutions 1579 (XV) and 1580 (XV).

I should be most appreciative if you would secure from your Government some indication of the action it intends to take on these resolutions, so that the Commission may draw up

its work programme. This is the more urgent in that the resolution requires the Commission to proceed immediately to Ruanda-Urundi. I had the honour to discuss these matters orally with Mr. A. Claeys Bouuaert on 22 December, in the presence of Mr. D. Protitch, Under-Secretary of the United Nations.

Operative paragraph 4 of resolution 1579 (XV) recommends that a conference should be held early in 1961, before the elections, and that it should be attended by United Nations observers. The observers, as is clear from operative paragraph 9, sub-paragraph (b), would consist of the Commission established for Ruanda-Urundi. The Commission would appreciate hearing from your Government as to when it proposes to hold this conference. The date should be fixed with all speed, since the conference must be held before the elections. As to the place of meeting, I have suggested Brussels rather than Usumbura, in order to facilitate the participation of representatives of all the political parties. The Commission would also be interested to learn your Government's intentions with regard to the organization of the conference and the subjects to be covered in the agenda. In this connexion, as I pointed out to Mr. Claeys Bouuaert, it is implicit in the resolution that the conference agenda should include the problems of national reconciliation, amnesty and refugees, in addition to the arrangements for the elections.

Operative paragraph 2 of the resolution urges the Administering Authority to implement immediately measures of full and unconditional amnesty and to abolish the emergency régime. It would interest the Commission to learn the Belgian Government's intentions in this connexion.

Operative paragraph 7 of the resolution recommends that the legislative elections planned for January 1961 should be postponed to a date to be decided on at the resumed fifteenth session of the General Assembly (7 March 1961) in the light of the Commission's recommendations. Under operative paragraph 10, the Commission is requested to submit an interim report on this matter. At all events it should be noted that, having regard to the provisions of operative paragraph 7, the Commission would be unable to discharge its supervisory duties under operative paragraph 9, sub-paragraph (a), if the elections in question were held before the resumption of the General Assembly session.

As to resolution 1580 (XV) on the question of the Mwami, it should be noted that the Commission is also called upon to submit recommendations to the General Assembly at its resumed fifteenth session and to supervise a referendum. It accordingly wishes to ascertain your Government's views on the matters raised in this resolution.

(Signed) Max H. DORSINVILLE

#### ANNEX V

##### **Note verbale, dated 27 December 1960, from the Permanent Mission of Belgium to the Secretary-General of the United Nations**

The Permanent Mission of Belgium presents its compliments to the Secretary-General of the United Nations and, upon instructions from its Government, has the honour to inform him as follows:

The Belgian Government has received the letter of 22 December 1960 in which the Secretary-General communicated to it the text of two resolutions (1579 (XV) and 1580 (XV)) adopted by the General Assembly on 20 December on the subject of Ruanda-Urundi.

The Belgian Government shares the view of the General Assembly, expressed in resolution 1579 (XV) that "the necessary conditions and atmosphere must be brought about expeditiously to ensure that the legislative elections, which will lead to the establishment of national democratic institutions and furnish the basis for the national independence of Ruanda-Urundi in accordance with the principles and purposes of the Charter of the United Nations, take place in an atmosphere of peace and harmony". To this end the Belgian Government has decided to arrange in Belgium, for 6 January 1961, a

conference at which the established authorities and the political parties of Ruanda-Urundi will be represented, as they were at the talks previously held in Africa. This meeting, which will probably be held at Ostend, will last approximately one week. The agenda will include the following questions:

- (a) The problem of national reconciliation;
- (b) The union of Ruanda and Urundi;
- (c) The preparation of the elections.

In its capacity as Administering Authority, Belgium, having delegated extensive powers to the local authorities—the Provisional Government of Rwanda and the College of Commissioners in Burundi—feels bound to consult those authorities about these basic problems.

The Belgian Government greatly hopes that the members of the Commission set up under General Assembly resolution 1579 (XV) will attend this conference as observers.

The Permanent Mission of Belgium would be grateful if the Secretary-General would convey the official invitation from its Government to the three members of the aforesaid Commission, and assures the Secretary-General of its highest consideration.

#### ANNEX VI

##### **Text of the speech by the Belgian Minister for African Affairs at the opening of the Ostend Conference, 7 January 1961**

1. I am extremely pleased to see you all in this magnificent Kursaal building in the town of Ostend and welcome you all to Belgium.

2. Under article 2 of the Trusteeship Agreement of 13 December 1946 and in accordance with Article 75 of the United Nations Charter, Belgium assumed responsibility for the administration of Ruanda-Urundi.

3. It undertook to administer this Territory in such a way as to attain the basic objectives of the international trusteeship system as set out in Article 76 of the Charter, and particularly, it should be remembered, that of guiding the people of Ruanda-Urundi towards independence by democratic means, in order and peace.

4. It is within the framework of this complete responsibility, assumed under the terms of the Trusteeship Agreement, that Belgium has evolved its general policy with regard to the Territory of Ruanda-Urundi.

5. Similarly, as a result of the undertaking which it has given, Belgium has taken as its guiding principle Article 76 of the Charter, under which it is bound to ascertain and take into account the freely expressed wishes of the peoples concerned.

6. In pursuance of these aims, a Working Group was set up in 1959 to undertake a detailed inquiry among the peoples as to their aspirations, wishes and proposals on the subject of their country's political evolution.

7. This inquiry once completed, a vast plan to reform the political structures was announced in the Belgian Government's statement of 10 November 1959 [T/1502] and immediately began to be applied.

8. The Special Provisional Council was set up in Rwanda, and the Interim Committee in Burundi. A communal system was organized and introduced both in Rwanda and in Burundi, with an elected communal council and an elected burgomaster. In Burundi, State Commissioners and Provincial Administrators were appointed. In Rwanda, a Provisional Council and a Provisional Government were set up. The reasons for the introduction of these structures are simple. On the one hand, the previous institutions, both in their composition and in their powers, had become obsolete, as a result of events and, above all, of the peoples' political awakening. Any obstinate clinging to existing structures would merely have hampered the countries' evolution towards self-government and independence. On the other hand, these provisional institutions provided an excellent means of preparing for the organization and

introduction of permanent institutions, thus ensuring a harmonious transition to a system of internal self-government.

9. Under the same policy, but with respect to the present and no longer to the past, it was decided that the legislative elections should take place in January 1961. As a result of these legislative elections there are to be set up, in the States, democratic structures—a Government and a Legislative Assembly—which will be given ever-increasing autonomy.

10. In due course, probably in May or June 1961 as planned—I am speaking now of the future—these autonomous Governments, competent to express the wishes of the peoples, should meet with the Administering Authority. The object of this round-table meeting would be to reach a decision, first on the Territory's accession to independence, and secondly on the political or economic union between Rwanda and Burundi.

11. The Belgian Government has already arrived at the supposition that the Territory might accede to independence during the first six months of 1962:

If order and peace exist in the country, and

If the administering Power and the Governments of the two countries agree to this time-table for independence.

12. This proposal should then be the subject of an agreement between the administering Power and the United Nations. The Belgian Government had thought that it could thus submit this proposal to the Trusteeship Council and then to the General Assembly of the United Nations during its sixteenth session in the second half of 1961.

13. It is this policy as regards Ruanda-Urundi's future that Belgium evolved in accordance with its obligations under the Trusteeship Agreement, and that the United Nations considered it should approve during 1960. It is this policy that Belgium, within the framework of its complete responsibility with regard to Ruanda-Urundi, then proceeded to implement. It is thus that having reached the stage, within this time-table, of the legislative elections to be held, as agreed, in January 1961, the Belgian Government recently fixed the dates on which these elections would take place—18 January for Burundi, and 23 January for Rwanda.

14. If Belgium is to undertake its full responsibilities towards Ruanda-Urundi under the mandate entrusted to it, and if, within the responsibilities under this mandate, it is to render due account thereof to the United Nations, as it has done hitherto, it must naturally examine with the closest attention any resolutions which the General Assembly of the United Nations may think it its duty to adopt concerning the political future of Ruanda-Urundi.

15. Given its responsibilities towards Ruanda-Urundi and the latter's peoples, Belgium has formally undertaken to seek those solutions which it considers best suited to promote the country's development.

16. This being so, the most careful consideration must obviously be given to the General Assembly's resolutions of 20 December 1960, as a factor which may help Belgium successfully to accomplish its mission of trusteeship.

17. Resolution 1579 (XV) of 20 December recommends in particular the holding early in 1961, before the legislative elections, of a conference at which the political parties would be fully represented and which could be attended by United Nations observers. Under this resolution, the aim of this conference would be to compose the differences between the parties and to bring about national harmony.

18. For this reason, Belgium has invited all of you delegates of Rwanda and Burundi, to meet here today in the presence of the observers whom the United Nations has sent and whom I have the pleasure of welcoming on behalf of the Belgian Government. For this reason also, a hospitable town, with an atmosphere conducive to mental peace, has been chosen as the place for this conference.

19. The United Nations asks us to bring about expeditiously the necessary conditions and atmosphere to ensure that the legislative elections take place in an atmosphere of peace and harmony. With that aim in view, the United Nations urges

the Administering Authority to consider certain measures to ensure this atmosphere of peace, such as:

A general amnesty;

The abolition of the emergency régime;

The return and rehabilitation of the refugees;

The limitation of armed forces to those required to maintain order.

20. Belgium wishes to create in the Territory of Ruanda-Urundi this atmosphere of peace and harmony to which the United Nations attaches importance. Furthermore, these views coincide with those expressed by the General Assembly.

21. Even before the adoption of General Assembly resolution 1579 (XV) on 20 December 1960, the Belgian Government had, for this purpose, taken all the measures that it could take without impairing respect for public order and calm—essential factors which the Government cannot in any circumstances neglect if it wishes successfully to accomplish its task. I shall now merely briefly remind you of these measures.

22. On 15 November 1960, the emergency régime was abolished throughout the Territory of Ruanda-Urundi. On 14 December, on the occasion of the marriage of H.M. King Baudouin, collective measures of pardon were ordered. Throughout the Territory, measures of supervised residence were abolished as from November 1960, with the exception of certain measures whose abolition might have compromised order and peace.

23. In Rwanda, following on the radical social and political changes resulting from the events of November 1959, a peaceful atmosphere has gradually been restored since the Provisional Government set up on 18 October 1960 has been at work. Since November 1960, there has been no further incident, arson or other disturbance. During the same period, the Provisional Council has united, in one assembly, most of the major political parties of the country.

24. Finally, during December, two series of talks were held. On 7 December, the series of talks on Rwanda opened at Kisenyi; it was attended by representatives of the four major parties in Rwanda, including that which had hitherto not taken any part in the political manoeuvres.

25. These Kisenyi talks, which were to deal with the organization of the legislative elections and the form of the structures of domestic self-government to be set up, took place, after some difficult beginnings, in an increasingly relaxed atmosphere with a clear tendency towards mutual confidence and conciliation. The recommendations adopted at these talks are undeniable proof of this. On all sides, a very definite effort at *rapprochement* was visible. This new spirit, which does honour to the political leaders of Rwanda, will, if it continues, augur well for an ordered development of the country's political structures.

26. The resolutions adopted at these talks so tended towards the restoration of mental peace that all the parties represented—which were, I repeat, the four major parties of Rwanda—suggested the organization of an investigation with a view to hastening the *émigrés* return to the country before the elections, so that they could take part in the country's political life. Similarly, with the same aim in view, they unanimously proposed that the period of notice required for registration on the electoral roll should be shortened for refugees. This attitude coincided happily with that of the Belgian Government which throughout 1960 had striven ceaselessly to find a solution for the difficult problem of the refugees.

27. The Provisional Government, sharing in this the concern of the Administering Authority, requested that a Ministry should be set up to deal with the refugee problem. In a further attempt to show conciliation towards the persons concerned, the President of the Provisional Government offered this Department to a Tutsi leader.

28. At present, in addition to the regrouping of the *émigrés*, the problem of the recovery of their goods and of their possible compensation by the local communities is being actively studied.

29. However, as is well known, the refugee problem is one applying to Rwanda alone. It is one of the more tangible aspects of the fact that the difficult problem of national reconciliation arises only in Rwanda.

30. In Burundi, as the Administering Authority is happy to stress, the problem of reconciliation does not arise. Admittedly Burundi is experiencing the effects of uneasiness on the part of its political leaders, but there is no serious cleft between the different political or ethnic groups in the country.

31. Furthermore, Burundi has been spared the trying crisis concerning the institution of monarchy which its northern neighbour is experiencing and regarding which the United Nations has also adopted a resolution [*General Assembly resolution 1580 (XV)*]. Throughout Burundi, the person of the Mwami and the institution of the monarchy remain unchallenged. Mwami Mwambutsa can only increase his prestige by being careful to maintain his superior position as arbiter, above the different parties. The statute to govern the status both of the Mwami and of the other members of his family will certainly strengthen that position.

32. The recent communal elections in Burundi took place in very satisfactory circumstances, as regards both maintenance of order and freedom of expression. I would also remind you that they were held under the supervision of a commission of Belgian observers, who had come specially from Belgium, at the request of the political parties of Burundi.

33. Given the results of the elections, a stabilizing of the various forces is to a certain extent reducing the underlying tension liable to arise from the political and social developments which are taking place in Rwanda. The problems are, in fact, much the same in both countries. Furthermore, the salutary action of the State Commissioners is, today, very obvious. On 16 December 1960, these State Commissioners, with two members of the Interim Committee, joined the delegates of the six most representative parties in Burundi to discuss at the Kitega talks, with the representatives of the Belgian authorities, questions relating to the organization of the legislative elections and to the structure of the institutions of domestic self-government to be established in Burundi.

34. Once again, the proceedings showed that the spokesmen for political opinion in Burundi, like their colleagues in Rwanda, desired to bring their respective positions closer together. However, during these talks, the news of the latest resolution of the United Nations General Assembly [*resolution 1579 (XV)*], recommending postponement of the legislative elections, prevented complete unanimity of views from being achieved.

35. Finally, a word about the presence of Belgian troops in Ruanda-Urundi to maintain order. These troops number some 1,200 men. For the maintenance of order in a territory with almost 5 million inhabitants, a territory of whose very special topography and difficult communications you are all aware, can it reasonably be claimed that troops to this number—which incidentally are extremely costly to Belgium—are excessive? In any case, the number of these troops can probably be gradually reduced, with a spreading of the atmosphere of confidence and peace.

36. General pacification—which is, as I have just shown, our general and common wish—represents a considerable task. We should fully realize this. We shall not accomplish it successfully by a few academic discussions.

37. It is not simply a material problem. A whole atmosphere must be transformed. We must convince ourselves, and convince those to whom we speak, of the absolute need to turn our gaze from the past, which divides us, to the future, which can be built only on solidarity.

38. As I have just told you, I consider that much has already been done in this direction. Confidence has gradually returned. A great new step forward was taken at the December talks. I can sincerely state that so far, in this field, Belgium has obtained the best results which it was possible to achieve. We must take a new step forward during 1961. We shall

resolutely envisage the work of the present Conference in this light.

39. I suggest that the Secretary-General of the Department of African Affairs, Mr. Van den Abeele, who has already taken the chair at previous talks, guide the work of this Conference.

40. I therefore yield to him the chairmanship of your assembly, reminding you that your agenda includes, in addition to the very comprehensive problem of reconciliation, two other very important items: first, the question of the relations between the States of Rwanda and Burundi, and determination of the provisional structures common to these two States, structures which could be organized during the period of domestic self-government; secondly, the preparation of the elections.

41. I can only express the hope that the work of the political conference on Rwanda and Burundi will be fully successful.

## ANNEX VII

### Text of the preliminary address by Mr. Van den Abeele, Chairman of the Ostend Conference, 9 January 1961

1. As the Minister for African Affairs, Count d'Aspremont, stated last Saturday, at the inaugural meeting of this Conference, Belgium has noted with interest the resolutions adopted by the United Nations General Assembly [*resolutions 1579 (XV) and 1580 (XV)*]. Legally these resolutions are recommendations and do not entail any obligation on Belgium's part to conform to them. In other words, they leave intact Belgium's responsibility in Ruanda-Urundi, as defined by the Trusteeship Agreement of 13 December 1946.

2. It should be pointed out, moreover, that during the debate in the Fourth Committee and the General Assembly, Belgium opposed these resolutions and subsequently stated its reservations with regard to the recommendations they contained. Nevertheless, in the interests of clarity and objectivity, the Belgian Government has considered it advisable to convene this Conference so that the views and opinions of the representatives of the peoples concerned may be freely expressed in the presence of the United Nations observers.

3. This Conference will provide the Belgian Government with additional information it was anxious to obtain from the people themselves concerning their aspirations with regard to the great problems of their country's political development. Following upon this Conference, and on the basis of the conclusions reached at it, Belgium will assume its responsibilities.

4. The Belgian Government intends to make a final decision and to do so as quickly as possible in view of the need to put an end to this period of waiting. I can therefore inform you that a decision will be taken by the Belgian Government on the basis of the conclusions of this Conference within the week following its closure.

5. Out of the same desire for objectivity and clarity which made Belgium feel that it would be desirable for the representatives of Rwanda and Burundi here present to express their views and opinions before the duly authorized representatives of the United Nations—as incidentally they have already done during the talks held last month at Kisenyi and Kitega—I give the floor to Mr. Dorsinville, Chairman of the United Nations Commission. Mr. Dorsinville has expressed a wish to inform you of the nature of his mission, as a part of this Conference, but before the opening of the discussion.

## ANNEX VIII

### Text of the first statement by the Chairman of the United Nations Commission at Ostend, 9 January 1961

1. The United Nations Commission wishes to express its satisfaction at being present at this political Conference on Rwanda and Burundi, at the invitation of the Belgian Government, in conformity with General Assembly resolution 1579 (XV) on the question of the future of Ruanda-Urundi. I take this opportunity to tender the Commission's thanks to

the Minister for African Affairs for his kind words about it on 7 January.

2. Before the Conference begins the discussion of its agenda, the Commission considers it desirable to remind those participating in it of the decisions recently taken by the United Nations General Assembly concerning the Trust Territory of Ruanda-Urundi.

3. The decisions are embodied in resolutions 1579 (XV) and 1580 (XV), adopted by the General Assembly at the end of the first part of its fifteenth session, on 20 December 1960. They are, I think, of basic importance for your discussions, and the Commission hopes that the Chairman of the Conference will have distributed copies to the participants.

4. Resolution 1579 (XV) raises a procedural question, and it is the duty of the Commission over which I have the honour to preside to clear this up without delay. Operative paragraph 7 of the resolution recommends that the legislative elections scheduled for 18 and 23 January 1961, according to the statement made on 7 January by the Minister for African Affairs, should be postponed to a date to be decided on at the resumed fifteenth session of the General Assembly, which will begin on 7 March 1961, and in the light of the recommendations the Commission will be called upon to make on the basis of the application of the various measures contemplated in the resolution. The paragraph in question *“recommends that the elections scheduled to be held in January 1961 should be postponed to a date to be decided on at the resumed fifteenth session of the General Assembly in the light of the recommendations of the Commission referred to in paragraph 8 below, so that, in addition to the fulfilment of the purpose of the preceding paragraphs of the present resolution, the arrangements for the election can be completed under the supervision of the United Nations”*.

5. I shall not dwell at this point on the considerations which led the General Assembly to make this recommendation. They are set forth, in any case, in the fourth preambular paragraph of the resolution, which reads as follows: *“Being conscious of its responsibility to ensure that the supervision of the elections by the United Nations is effective, and that the elections, which will furnish the basis for the Territory's independence, are held in proper conditions so that their results are completely free of doubt or dispute”*.

6. I must therefore draw your attention to the fact that the recommendation is quite explicit, and that if it were not followed the tasks assigned to the Commission under operative paragraph 9 of the resolution would have no meaning. Operative paragraph 9 requests the Commission *“to proceed immediately to Ruanda-Urundi to perform the following tasks on behalf of the United Nations: (a) to supervise the elections to be held in Ruanda-Urundi in 1961 on the basis of direct, universal adult suffrage, and the preparatory measures preceding them, such as the compilation of the electoral rolls, the conduct of the election campaign and the organization of a system of balloting which will ensure complete secrecy; (b) to attend, as United Nations observers, the political conference envisaged in paragraph 4 above and the round-table conference to be convened after the elections to determine the future evolution of the Territory towards independence; (c) to follow the progress of events in the Territory before and after the elections, to lend its advice and assistance, as appropriate, with a view to advancing peace and harmony in Ruanda-Urundi, and to report to the Trusteeship Council or the General Assembly, as necessary.”*

7. In the speech he made at the opening meeting, the Minister for African Affairs stated that *“the most careful consideration must obviously be given to the General Assembly's resolutions of 20 December 1960, as a factor which may help Belgium successfully to accomplish its mission of trusteeship”*.

8. In this same spirit the Commission felt that it would be useful, as you begin your debates, to draw your attention to General Assembly resolution 1579 (XV) which was adopted by a very large majority of the States Members of the United Nations, and which contains points to be taken into consideration during the examination of the problems you will have to solve.

## ANNEX IX

### Text of the second statement by the Chairman of the United Nations Commission at Ostend, 10 January 1961

1. As I indicated yesterday, the United Nations Commission thinks it essential to point out certain errors in the statements made by some of the participants in this political Conference on Rwanda and Burundi.

2. It has been said, for example, in regard to the General Assembly's resolutions, that they were an expression of contempt for the people of Ruanda-Urundi, since they had not been consulted in advance by the United Nations.

3. The concern of the United Nations for the Trust Territories is manifest in all its actions and is recorded in its official documents. It has been said that the peoples of Ruanda-Urundi were not consulted in this case. What is not known is that the decisions with regard to this Territory were taken only after thorough and serious consideration, with the participation of the Administering Authority and, in many cases, of petitioners from the Territory representing all political tendencies, not to mention the reports of the Visiting Missions.

4. It has also been said that the United Nations was threatening to revoke the mandate entrusted to the Belgian Government or to condemn the Administering Authority, and that this was confirmed yesterday morning by the Chairman of the United Nations Commission. The fantastic character of these allegations seems to me to require no commentary.

5. Certain provisions of General Assembly resolution 1579 (XV) have been interpreted as meaning that the Belgian forces were to be replaced by United Nations forces and that the administration of the trusteeship was to be withdrawn from Belgium and entrusted to the United Nations Commission, which was described as a *“Permanent Mission”*.

6. Of course, none of this is true. There is no question of substituting any authority whatsoever for that of the Belgian Administration, the powers of the United Nations Commission for Ruanda-Urundi being clearly defined in the relevant provisions of General Assembly resolutions 1579 (XV) and 1580 (XV).

7. Much confusion still seems to reign with regard to the date of the scheduled legislative elections. It has been said that the United Nations did not abide by its own timetable, on the grounds that the date of the elections had been fixed by the United Nations Visiting Mission to Trust Territories in East Africa, 1960, and by the Trusteeship Council in its recommendations concerning the holding of elections. This too is entirely untrue, since the Visiting Mission, in paragraph 463 of its report,<sup>a</sup> recommended that *“...elections with direct universal suffrage for the purpose of constituting national assemblies for Rwanda and for Urundi should take place at the beginning of 1961 and should be supervised by the United Nations.”* The Trusteeship Council said on the subject of national elections in its report<sup>b</sup> to the General Assembly at its fifteenth session: *“The Council welcomes the Administering Authority's intention to hold early in 1961 elections on the basis of universal adult suffrage...”* *“Early in 1961”* certainly did not mean that the elections must necessarily take place during the first month of 1961.

8. The General Assembly, which is the supreme organ of the United Nations, having examined the Trusteeship Council's report, taking into account all the new factors, and being anxious that the elections in question should be *“held in proper conditions so that their results are completely free of doubt or dispute”*, then recommended in resolution 1579 (XV) that the elections scheduled to be held in January 1961, as the Administering Authority had announced, *“should be postponed to a date to be decided on at the resumed fifteenth session of the General Assembly in the light of the recommendations of the Commission”*.

9. This date will be all the closer to the beginning of 1961 if the preparatory measures contemplated in the General

<sup>a</sup> Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3.

<sup>b</sup> See Official Records of the General Assembly, Fifteenth Session, Supplement No. 4, p. 68.

Assembly's resolutions can be carried out in time, through the sincere and honest co-operation of all the parties concerned. In any case, this procedure did not and does not in any way mean that the date of independence will be postponed, as certain people have alleged.

10. Clearly, then, this procedure, which was decided on by the General Assembly solely in the higher interests of the people of the Territory, involves no contradiction in the decisions of the United Nations.

11. It has also been said more than once that the United Nations observers should proceed to the Territory immediately, as they are asked to do in resolution 1579 (XV) in order to supervise the elections in the present month of January 1961. This indicates that many persons are unaware of the scope of a supervisory operation which involves, as operative paragraph 9 of resolution 1579 (XV) states, "preparatory measures...such as the compilation of the electoral rolls, the conduct of the election campaign and the organization of a system of balloting which will ensure complete secrecy". Moreover, I indicated yesterday what operative paragraph 7 of resolution 1579 (XV) implies from the procedural point of view.

12. The United Nations Commission considers it useful to make this clarification with regard to some obviously erroneous opinions expressed in the course of the debate yesterday. It in no way implies that the Commission is passing judgement on the method adopted by the responsible Authority in this case. The Belgian Government, which is a party to the Trusteeship Agreement, certainly retains all its responsibility, as the distinguished Chairman of the Conference has several times emphasized, since it is to the Belgian Government that the General Assembly's resolutions are addressed. On this point, be it noted in passing, certain remarks were made yesterday concerning the significance of the resolutions or decisions of the General Assembly.

13. The resolutions of the General Assembly do indeed embody decisions or recommendations depending on the extent of the Assembly's competence and the scope of its responsibilities in the various matters it deals with. With regard to the decisions or recommendations contained in resolution 1579 (XV) on the question of the future of Ruanda-Urundi, you remarked, Mr. Chairman, that they did not entail any legal obligations on Belgium's part and committed the Administering Authority only in the context of the provisions of the Trusteeship Agreement of 13 December 1946. But in this connexion, the Commission ventures to draw your attention precisely to the second sentence of the first paragraph of article 3, of that agreement, which reads:

"...

"The Administering Authority further undertakes to collaborate fully with the General Assembly of the United Nations and with the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the United Nations Charter".

The Commission also draws attention to article 7 of the Agreement, under which:

"The Administering Authority undertakes to apply to Ruanda-Urundi the provisions of all present or future international conventions and recommendations which may be appropriate to the particular conditions of the Territory and which would be conducive to the achievement of the basic objectives of the International Trusteeship System."

14. In conclusion, your attention should be drawn to the fact that document No. 10 of this Conference reproduces the text of the revised draft resolution which was submitted to the Fourth Committee by a number of countries (A/C.4/L.664/Rev.1). However, the final text of a resolution is that adopted by the General Assembly in plenary session and is dated from the day of adoption. Resolution 1579 (XV), specifically was adopted on 20 December 1960 at the 960th plenary meeting of the General Assembly by the affirmative vote of sixty-one States.

## ANNEX X

### Text of the third statement by the Chairman of the United Nations Commission at Ostend, 11 January 1961

1. It was stated this morning that the United Nations had decided, arbitrarily and without taking into account the existing state of affairs or the wishes of the people, to impose the Mwami upon the people of Ruanda.

2. The Commission would like to make it clear that such is not the case. The aim of General Assembly resolution 1580 (XV) on the question of the Mwami is to bring about a solution of the problem of the Mwami by the people of Rwanda themselves, by means of a referendum under United Nations supervision to be carried out in complete freedom "in order to ascertain the wishes of the people concerning the institution of the Mwami and, if necessary, the present Mwami of Rwanda".

3. The same speaker, addressing the United Nations Commission directly, stated that he would perhaps be prepared to have the date of the elections postponed as requested by the General Assembly if the United Nations and the Administering Authority were willing to give the present Government and Provisional Assembly a definitive character. The Commission feels obliged to state that, its terms of reference being clearly defined in General Assembly resolutions 1579 (XV) and 1580 (XV), such a question is obviously not within its competence.

## ANNEX XI

### Summary of the discussion at the Ostend Conference

#### ITEM 1: DATE OF THE LEGISLATIVE ELECTIONS

1. Two main points of view emerged during the discussion which was held on Monday, 9 December 1960, on the question of the date of the legislative elections in Rwanda and Burundi.

2. One body of opinion held that the elections should be kept to the date which had been fixed by Belgium in the light of the report of the 1960 Visiting Mission<sup>a</sup> and the report of the Trusteeship Council,<sup>b</sup> and which had been approved at the Kisenyi and Kitega talks. The proponents of this view accordingly considered that the elections should take place not later than January 1961. This view was expressed by the following: Mr. Baganzicaha, State Commissioner for Medical Affairs (Burundi); Mr. Barakamfitye, representative of RPB (Burundi); Mr. Bicamumpaka, Minister for Agriculture (Rwanda); Mr. Bigayimpunzi, State Commissioner for Agriculture (Burundi); Mr. Biroli, representative of PDC (Burundi); Mr. Bitolirobe, State Commissioner for Land Titles (Burundi); Mr. Bovy, Minister for Social Affairs (Rwanda); Mr. Cimpaye, State Commissioner for Public Works (Burundi); Mr. Cyimana, Minister for Finance (Rwanda); Mr. Gasingwa, representative of APROSOMA (Rwanda); Mr. Gitera, President of the Council of Rwanda (Rwanda); Mr. Haba, representative of PARMEHUTU (Rwanda); Mr. Habyarimana, representative of PARMEHUTU (Rwanda); Mr. Karinjabo, representative of PARMEHUTU (Rwanda); Mr. Kavumbagu, representative of PDR (Burundi); Mr. Kayibanda, Head of the Provisional Government of Rwanda (Rwanda); Mr. Kigoma, representative of UNB (Burundi); Mr. Murindahabi, representative of PARMEHUTU (Rwanda); Mr. Ndabacekure, representative of PDC (Burundi); Mr. Ndahayo, representative of PARMEHUTU (Rwanda); Mr. Ndayambaje, Secretary of State for Economic Affairs (Rwanda); Mr. Ngowenubusa, representative of PDR (Burundi); Mr. Nigane, State Commissioner for Personnel (Burundi); Mr. Nikyrikana, representative of PDC (Burundi); Mr. Niyonzima, representative of PARMEHUTU (Rwanda); Mr. Ntidendereza, member of the Interim Committee of Burundi (Burundi); Mr. Nzohabona, representative of PP (Burundi); Mr. Sabezungu, representative of PARME-

<sup>a</sup> Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3.

<sup>b</sup> Official Records of the General Assembly, Fifteenth Session, Supplement No. 4.

HUTU (Rwanda); Mr. Sekerere, Minister for Technical Affairs (Rwanda); Mr. Sindikubwabo, representative of APROSOMA (Rwanda); Mr. Zuruzuru, State Commissioner for Animal Husbandry (Burundi).

3. Several of these members added that they had no objection to the United Nations Commission; that, on the contrary, they were looking forward to its arrival, but that, if it came, it should come immediately in order to supervise the elections (Mr. Biroli, Mr. Bitolirobe, Mr. Cimpaye, Mr. Gasingwa, Mr. Kayibanda, Mr. Murindahabi, Mr. Ngwenubusa and Mr. Ntidendereza).

4. The other body of opinion requested the application of operative paragraph 7 of resolution 1579 (XV) of the United Nations General Assembly recommending that the elections should be postponed to a date to be decided on at the resumed fifteenth session in March 1961 in the light of the United Nations Commission's recommendations, so that, *inter alia*, the arrangements for the elections could be completed under the supervision of the United Nations. This view was advanced by: Mr. Ndazaro, representative of RADER (Rwanda), and Mr. Ndangamira, representative of RADER (Rwanda). Other, intermediate views were expressed by: Mr. Bankumuhari, representative of UPRONA (Burundi), and Mr. Siruyumunsi, representative of UPRONA (Burundi), who considered that the elections might be held some time—say two months—after the United Nations Commission's arrival in Ruanda-Urundi. Mr. Kana (Burundi), State Commissioner for Justice, who considered that the elections should be held in the first week in April; Mr. Ntiruhwama, representative of the Interim Committee of Burundi, who did not specify a date but asked for sufficient time in which to prepare for the elections and to allow for United Nations arbitration; Mr. Bihumugani, State Commissioner for Finance of Burundi, who requested that the United Nations Commission should supervise the elections and that the parties should be allowed at least a month for propaganda purposes. He also asked that the political parties should be granted equal freedom to engage in electoral propaganda, and that the Administering Authority should take a position of complete impartiality.

5. Mr. Rutsindintwarane, speaking on behalf of his delegation, which included Mr. Afrika as well as himself, explained that the view he had taken was that it was not for the present conference to reopen discussion on a resolution adopted by the General Assembly. In his opinion, Belgium should discharge its responsibilities on its own initiative.

6. Mr. Dorsinville, Chairman of the United Nations Commission, pointed out that, while it was true that the beginning of 1961 was mentioned in the reports of the 1960 Visiting Mission and the Trusteeship Council, that did not necessarily mean that the elections had to be held in January 1961.

7. The General Assembly, in recommending postponement of the elections to a date to be decided on at its resumed fifteenth session in the light of the Commission's recommendations, had taken into account all the new information available and had wished to ensure that the elections were held in the best possible conditions. As to the desire, expressed by some, for the United Nations Commission to go to the Territory forthwith, the Commission had explained that, apart from the provisions of resolution 1579 (XV) concerning the date of the elections, the task of supervision would require more time, as matters stood, than had been allowed for.

## ITEM 2: SERVICES COMMON TO RWANDA AND BURUNDI

8. In the course of the discussion all representatives agreed that those present at the Conference were not qualified to settle the question of common services.

9. The representatives of the political parties and the State Commissioners of Burundi unanimously proposed, through Mr. Biroli, the establishment of a provisional joint body to study the various economic problems affecting both Rwanda and Burundi. The report of that commission would be presented to the Governments formed as a result of the elections. In the case of Burundi, the members of the joint body would

be appointed by the Interim Committee, the State Commissioners and the political parties and would represent, not their parties, but Burundi. Pending the Governments' decision, the various common services would remain in operation.

10. The representatives of Rwanda, for their part, were divided.

11. The opinion expressed by the representatives of Burundi, as described above, was shared by: Mr. Afrika, representative of UNAR (Rwanda), and Mr. Ndazaro, representative of RADER (Rwanda).

12. Mr. Rutsindintwarane, representative of UNAR (Rwanda), also appeared to favour the establishment of a commission but stated that he had been unable to make up his mind on the subject in the short time available in which to study it. He had hoped that more time would be allowed, and that that important question would be considered not merely from the economic but also from the political angle, with a view to a State of Rwanda-Burundi being established.

13. Mr. Cyimana, Minister for Finance of Rwanda, felt that too little time remained before the inauguration of the institutions resulting from the elections for any purpose to be served by the immediate establishment of a study commission. Other representatives likewise considered that no such commission need be set up at once. As they saw it, the trusteeship authorities and the existing State authorities could jointly inventory the common services and each State's contributions, and could supply the necessary technical information to the authorities which would have to take the decisions after the elections. The following participants spoke on these lines: Mr. Gasingwa, representative of APROSOMA (Rwanda); Mr. Gitera, President of the Council of Rwanda (Rwanda); Mr. Kayibanda, Head of the Provisional Government of Rwanda (Rwanda); Mr. Murindahabi, representative of PARMEHUTU (Rwanda); Mr. Ndahayo, representative of PARMEHUTU (Rwanda).

14. Lastly, most representatives of both Rwanda and Burundi urged that decentralization to the States should be actively pursued.

15. The Chairman of the Conference stated that that was the Government's position.

16. Since a sufficient measure of agreement had not been reached, the Resident-General proposed that the question should be left in abeyance. Meanwhile the members of the Government of Rwanda and the State Commissioners of Burundi would establish contact with one another for the purpose of drawing up a balance-sheet for the two States, making a study of the existing common services, and considering the possible future line of development of those services. The latter would remain in operation until Governments competent to decide their future were installed after the elections.

17. This proposal was put to the conference by the Chairman and was *adopted unanimously*.

## ITEM 3: RECONCILIATION IN RWANDA

18. The discussion showed that the disagreements among the Banyarwanda were essentially political in character. They were said to relate to the Mwami problem, the attitude of PARMEHUTU, the rehabilitation of refugees, etc. Discussion centred mainly on the first problem. Some maintained that the only step needed to settle it was the holding of a referendum in accordance with General Assembly resolution 1580 (XV) (Mr. Ndazaro, representative of RADER).

19. The remainder felt that no such referendum could be held at present, and some added that no referendum could be held unless the possibility of one was allowed for in the final institutional structure of the State (Mr. Cyimana, Minister for Finance, and Mr. Haba, representative of PARMEHUTU).

20. Mr. Dorsinville, Chairman of the United Nations Commission, explained that the purpose of General Assembly resolution 1580 (XV) on the question of the Mwami was to arrange for the problem of the Mwami to be solved by the

Rwandese people itself, in complete freedom, through a referendum held under United Nations supervision.

21. The representatives of the APROSOMA and PARMEHUTU parties and Mr. Gitera, President of the Council of Rwanda, categorically opposed the return of Mwami Kigeli V, whom they regarded as the main cause of the disturbances of November 1959 and whom they accused of serious offences rendering him liable to criminal prosecution (Mr. Gasingwa, President of APROSOMA, and Mr. Murindahabi, President of PARMEHUTU).

22. The Provisional Government stated that, in the interests of peace in the State, the restoration of Mwami Kigeli to the throne of Rwanda was out of the question; the institutions set up as a result of the legislative elections would take the final decisions on the form of government for Rwanda.

23. As to the second problem, Mr. Ndazaro and Mr. Gitera held that it was the Administering Authority's duty to ensure that no party could assume a dictatorial attitude, and to restore the balance among the parties.

24. In Mr. Ndazaro's view, that balance might be achieved by appointing two Ministers from each of the four parties and by ensuring that the Council, as well as the army, the police, the judicial service etc., was made up of one-third Tutsi and two-thirds Hutu. That proposal was opposed by Mr. Gitera, President of the Council, Mr. Kayibanda, Head of the Provisional Government, and Mr. Murindahabi, representative of PARMEHUTU, who considered that no reconciliation could be achieved on the basis of an ethnic formula.

25. The Head of the Provisional Government of Rwanda, and most representatives, felt that the political problems involved in reconciliation and the restoration of calm would have to be solved by the permanent institutions which would be set up after the forthcoming elections.

26. The provisional institutions were concerning themselves actively with those problems, even now; in order to solve them completely, however, the state of tension due to anticipation of the elections should be dispelled and the institutions should be put on a stable and permanent footing (Mr. Cyimana, Minister for Finance; Mr. Gasingwa, representative of APROSOMA; Mr. Gitera, President of the Council; Mr. Haba, representative of PARMEHUTU; and Mr. Kayibanda, Head of the Provisional Government).

27. For the rest, reconciliation was a matter of hearts and minds. There were already, said some speakers, many well-intentioned Bahutu and Batutsi who were joining forces to build up the State.

28. Finally, the participants confirmed their will to implement the unanimous conclusions reached at the Kisenyi talks. They hoped that the United Nations Commission would be able to go to Rwanda in order to see, on the spot, what constructive action was being taken towards reconciliation and the restoration of calm.

## ANNEX XII

### Letter dated 24 January 1961 from the Chairman of the United Nations Commission to the Minister for African Affairs

On behalf of the United Nations Commission for Ruanda-Urundi, I have the honour to bring the following to your attention:

Under the provisions of operative paragraph 9 of General Assembly resolution 1579 (XV), the Commission was required to proceed "immediately" to Ruanda-Urundi after attending the conference to be held before the elections as provided in operative paragraph 4 of the same resolution.

It was clear that the Commission could not carry out those instructions until it had been informed by the Belgian Government of the steps it intended to take in response to the recommendation in operative paragraph 7 of the resolution, namely that the legislative elections should be postponed to a date to be decided on at the resumed fifteenth session.

During the conversations held on Saturday, 21 January 1961, at the Ministry of Foreign Affairs, the Commission was happy to learn of the decision of your Government to comply with that recommendation. Consequently it has expressed its intention of proceeding to Ruanda-Urundi forthwith, fully realizing the unfortunate effect any further delay in its arrival in the Territory might have for its work and the fulfilment of its terms of reference.

The Commission is therefore pleased to confirm to you its intention of leaving Brussels on Friday, 26 January, in order to arrive at Usumbura the following day.

Hoping that in anticipation of the arrival of the Commission the necessary instructions will have been sent to the Resident-General of Ruanda-Urundi, I have the honour to be, etc.

(Signed) Max H. DORSINVILLE

## ANNEX XIII

### Letter dated 25 January 1961 from the Minister for Foreign Affairs to the Chairman of the United Nations Commission

In a letter dated 27 December 1960 you questioned the Permanent Representative of Belgium to the United Nations about the intentions of the Belgian Government with regard to the two resolutions adopted by the General Assembly on 20 December 1960 on the question of the future of Ruanda-Urundi and the question of the Mwami.

I have the honour to inform you of the following comments and decisions on the subject:

A. The political conference recommended in operative paragraph 4 of resolution 1579 (XV) was held, as you know, from 7 to 12 January at Ostend. The questions discussed there were in conformity with the terms of that resolution. Your Commission was present and was able to give the African representatives full information on the scope of the resolution. On that point, therefore, the General Assembly has been given full satisfaction.

B. With regard to operative paragraph 2 of the resolution, I would point out that the state of emergency was cancelled on 14 November 1960. The Belgian Government is prepared to abolish all similar measures that may exist.

With regard to the general amnesty, the Belgian Government will implement it as soon as possible. The benefit of such an amnesty is denied only to prisoners convicted for offences under ordinary law. Indeed, it would be unthinkable to extend its benefit to murderers or torturers, for example. To avoid any misunderstanding the United Nations Commission will be authorized to consult on the spot the records of the trials of such convicted persons.

Moreover, the General Assembly's wish concerning the return and rehabilitation of political refugees has the full approval of the Administering Authority.

C. The establishment of the date for legislative elections is still a question of primary importance.

The absence of tension at the Kisenyi and Kitega talks, the successful results of which are known to the Commission, was the result of the policy of the Belgian Government directed towards national reconciliation in Ruanda-Urundi.

The Belgian Government notes, however, that since the end of December 1960 the political parties have again adopted extreme positions and abandoned the conciliatory attitude which they had assumed. Thus in the last few days serious incidents, such as had not occurred for several months, have been reported.

The Government will certainly do everything within its power to maintain calm and order in the Territory but it has already had occasion to point out to the Commission the new and serious dangers arising from the application of the General Assembly's recommendation with regard to the postponement of the date of the elections.

The Belgian Government had decided that the elections should be held at the beginning of 1961; the United Nations Secretariat could not have failed to be aware of this intention, since reference is made to it in both the report of the United Nations

Visiting Mission to Trust Territories in East Africa, 1960<sup>a</sup> and the report of the Trusteeship Council.<sup>b</sup> The conclusions of the Ostend Conference must, moreover, have convinced you that the immediate holding of elections was in accordance with the wishes of the great majority of the local population, who are anxious to accede as quickly as possible if not to independence at least to institutions of internal self-government.

What makes the matter extraordinarily serious is the fact that it was a formal undertaking, already in process of being put into effect, that the General Assembly requested the Administering Authority, at the last moment, not to carry out. The Belgian Government was faced with the dilemma of either failing to comply with its undertaking or failing to carry out the new recommendation of the General Assembly. In its anxiety to respect the wishes of the General Assembly to the greatest possible degree, it decided to postpone the holding of legislative elections.

Although your Commission stated that under its very rigid terms of reference it was prohibited from taking any decision concerning the date on which the United Nations would like the elections to be held, the Government has taken note of the Commission's intention to do its utmost to submit its interim report to the General Assembly at the beginning of the resumed session.

The Government hopes that, in just appreciation of the efforts made by the Administering Authority, the General Assembly will give priority to its examination of the Commission's report and that the date of the elections can be fixed as soon as possible after the resumption of the session.

The Government has noted that the personnel called upon to take part in the work of your Commission will consider it their duty to avoid any interference in the domestic problems of the Territory and will be instructed to work in complete collaboration with the local authorities.

D. With regard to resolution 1580 (XV), the Belgian Government agrees to the holding of a referendum on the question of the Mwami but considers that the return of the latter should not be contemplated before the referendum, since his presence could only be a source of serious internal conflict. On behalf of the Belgian Government, I express the hope that the above decisions and explanations will make it possible for the Commission to leave very shortly for Usumbura, where it will be welcomed by the representatives of the Administering Authority.

(Signed) Pierre WIGNY

#### ANNEX XIV

##### Letter dated 27 January 1961 from Mwami Kigeli V to the Chairman of the United Nations Commission

Pursuant to our conversations of 26 January 1961, I have the honour to give you my views on the question you addressed to me concerning my return to Ruanda.

You will remember that the question was discussed at great length and clear and precise resolutions were taken on the subject.

Under those resolutions my immediate return to my country before the referendum was to be considered. I take the liberty of informing you that my intention to conform to that United Nations resolution still holds good.

I consider that it is the duty of the United Nations Commission for Ruanda-Urundi, in conjunction with the Administering Authority, to take the necessary steps for the implementation of the above-mentioned United Nations resolutions, particularly with regard to my immediate return to my country.

Wishing you every success in your great mission, I have the honour to be, etc.

(Signed) KIGELI V

<sup>a</sup> Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3.

<sup>b</sup> Official Records of the General Assembly, Fifteenth Session, Supplement No. 4.

#### ANNEX XV

##### Official communiqué explaining the position of the Belgian Government on the subject of the postponement of the elections, broadcast by Radio Usumbura on 28 January 1961

1. The Belgian Government feels that it should provide the following clarification of its decision on the date of the legislative elections in Rwanda and Burundi.

2. It also wishes to take this opportunity to explain its attitude towards the General Assembly resolutions on the future of Ruanda-Urundi.

3. Paragraph 7 of resolution 1579 (XV), on the question of the future of Ruanda-Urundi, which was adopted by the General Assembly of the United Nations on 20 December 1960, recommends that the elections scheduled to be held in January 1961 should be postponed to a date to be decided on at the resumed fifteenth session of the General Assembly, which is to begin on 7 March 1961.

4. The purpose of this postponement is to enable the General Assembly to take note of the interim report on the implementation of resolution 1579 (XV) which the United Nations Commission, set up under that resolution, was requested to submit to the Assembly at its resumed fifteenth session.

5. The General Assembly will then be able both to determine what progress has been made in fulfilling the objectives laid down in that resolution (problems of the amnesty, refugees and the establishment of Rwanda and Burundi as a single State), and to ensure that the election arrangements can be completed under United Nations supervision.

6. The Belgian Government had decided, in accordance with the general time-table for the attainment of independence by the Trust Territory, that the legislative elections would be held at the beginning of 1961.

7. The reports both of the United Nations Visiting Mission<sup>a</sup> and of the Trusteeship Council<sup>b</sup> refer to this intention of the Belgian Government.

8. The Government had then brought the date forward from 15 January and had invited the United Nations to send a commission to Ruanda-Urundi, on or after 15 December 1960, to observe the elections and the electoral campaign preceding them.

9. In spite of this decision, which took into account the legitimate aspirations of the vast majority of the people for the speedy attainment of internal self-government as a preparation for independence, the General Assembly of the United Nations adopted the resolution submitted to it by the Fourth Committee (resolution 1579 (XV)).

10. The Belgian Government then found itself in the very serious dilemma of having to choose between immediately satisfying the urgent request of the peoples under its trusteeship or taking into consideration the new General Assembly recommendation.

11. The Belgian Government chose the latter solution and therefore decided to postpone the preparations for the elections, despite the wishes expressed, at the beginning of this month, by the great majority of the African representatives at the Ostend Conference, which, under the terms of resolution 1579 (XV), was held before the elections and in the presence of the United Nations Commission.

12. The justification for the Belgian Government's decision is obvious. Above all, for the good of the peoples of Rwanda and Burundi themselves, it wishes to ensure that no doubt can be cast on the legislative elections to be held in both States at the beginning of 1961 or on the political organs which will be based on those elections. The preamble to resolution 1579 (XV) shows clearly that the General Assembly of the United Nations shares this concern.

13. Since the Belgian Government is particularly concerned for the future of the institutions of Rwanda and Burundi,

<sup>a</sup> Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3.

<sup>b</sup> Official Records of the General Assembly, Fifteenth Session, Supplement No. 4.

especially in their international setting, it decided that in the general interest of both States the views expressed by the General Assembly should be complied with. The Belgian Government none the less still believes that there can only be a fairly short postponement.

14. The Belgian Government has specifically drawn the attention of the United Nations Commission to the new and serious dangers to the internal peace of Rwanda and Burundi which are involved in the application of the General Assembly recommendation to postpone the date of the elections.

15. The Belgian Government is most unwilling to delay the elections beyond a date which should be as close as possible to that on which the fifteenth session of the General Assembly is reconvened.

16. The specific purpose of the postponement proposed by the Belgian Government is to allow the United Nations, and the Commission which will represent it in the Territory, to expedite all the steps that are necessary to give effect to resolution 1579 (XV) with regard to the legislative elections, which must at all events be held soon.

17. Belgium believes that it has in this way complied with the views and the recommendations of the General Assembly to the limits of its ability and of its responsibilities under the Trusteeship Agreement.

18. The Belgian Government also wishes to point out that the other objectives of resolution 1579 (XV) are no different from those which it had set for itself.

19. The talks at Kisenyi and Kitega clearly proved that national reconciliation is the essential policy of the Belgian Government.

20. Several steps called for in the General Assembly resolution have already been or are now being taken (abolition of the emergency régime and rehabilitation of the refugees). The full amnesty will also be granted, although it will obviously not apply to persons convicted of criminal offences.

21. In resolution 1580 (XV), also of 20 December 1960, the General Assembly of the United Nations raises the question of the Mwami of Rwanda.

22. In this connexion, the Belgian Government announces that it is willing to hold a referendum on the question of the Mwami, but it thinks that his presence in Rwanda before the poll might cause serious internal dissension.

#### ANNEX XVI

##### Copy of letter of convocation to the meeting of burgomasters and communal councillors held at Gitarama on 28 January 1961

RESIDENCY OF RWANDA

Kigali, 25 January 1961

DISTRICT OF KIGALI

No. 275/A.I.27

To Burgomasters (*All*)

Sir,

I have the honour to reproduce for your information the text of cable No. 5024/Sec. from the Minister for the Interior: "In view of the tense situation resulting from news concerning postponement of elections I have decided on a meeting at Gitarama on Saturday 28 January at 10 a.m., I repeat 10 a.m. exactly, of all burgomasters and all communal councillors, in order that they may be given instructions for restoring calm."

The Minister for the Interior insists that *all* burgomasters and *all* councillors be present at this meeting.

There will be a roll-call of those present, and anyone absent will have to offer an explanation. All councillors should therefore be told to be at the administrative centre of the chiefdom on Friday, 27 January 1961. A lorry will pick up all the councillors there and take them to Kigali.

The councillors will spend the night at Kigali and will leave for Gitarama on Saturday morning.

If any councillors cannot attend this meeting, they must send their deputies.

I repeat that *all* communal councillors and *all* burgomasters must be ready at 2 p.m. on 27 January 1961, at the administrative centre of the chiefdom.

Please deliver a copy of this letter to each communal councillor. I rely on your help for the complete success of this meeting.

The district of Kigali must be conspicuous by the presence of all its communal councillors.

(Signed) J. DUPUIS

Principal District Agent

for the District Administrator in  
his absence

#### ANNEX XVII

##### Official communiqué concerning the meeting of communal councillors held at Gitarama on 28 January 1961

1. After Belgium had decided to postpone the legislative elections in Ruanda-Urundi, the Minister for the Interior of Rwanda called all the burgomasters and communal councillors of the country to a meeting arranged for 28 January 1961 at Gitarama. The purpose of the meeting, according to the notice convening it, was to take certain steps in the direction of pacification.

2. The meeting began at 12 noon. Nearly all the councillors were present. Around the enclosure in which they were assembled, there gathered a crowd of 25,000 people, attracted by the unusual nature of the meeting.

3. The Minister for the Interior, Mr. Rwasibo, who had organized the meeting, first introduced to the councillors—among whom a number of Tutsi and European councillors were to be noted—the Head of the Provisional Government of Rwanda, the President of the Council of Rwanda, the members of the Government and the members of the Council.

4. Mr. Rwasibo next addressed the communal councillors and the burgomasters, thanking them for having taken part, since October 1960, in the pacification of the State. He then put to them the following questions:

"What is to be the solution of the Kigeli question?"

"By whom were the councillors of Rwanda elected?"

"When will the interim period end?"

"It is for you, the burgomasters and councillors representing the population of Rwanda, to answer these questions."

5. The Minister was warmly applauded when he ended with this statement: "The Kalinga, the Biru and the feudal organization have made the people of this country unhappy. These institutions must disappear and give place to democracy."

6. Mr. Joseph Gitara spoke next. To the applause of the crowd, he announced that the Kalinga was abolished and that the reign of Kigeli had come to an end. He then exhibited the green, yellow and red flag which he said was the symbol of the new Rwanda. At 12.15 p.m., Mr. Gitara declared that the form of government best meeting the aspirations of the Rwandese people was the republic. He ended by shouting "Long live the Republic", which was repeated by the crowd.

7. Mr. Grégoire Kayibanda, Prime Minister of Rwanda, followed him on the rostrum. For the benefit of those at the meeting who did not speak *kinyarwanda*, he repeated in French the main ideas expressed by Mr. Gitara, stressing that the Mwami Kigeli and his line were permanently divested of their functions, that the institutions of the Kalinga and the Biru were permanently abolished, and that the green, yellow and red flag was the symbol of the new Rwanda and that Rwanda would be a republic.

8. Mr. Rwasibo took the floor again to initiate the election of the President of the Republic.

9. Four parties submitted a candidate for the Presidency: APROSOMA submitted Mr. Joseph Gitara; AREDETWA submitted Mr. Laurent Munyankuge; PARMEHUTU submitted Mr. Dominique Mbonyumutwa; and APADEC submitted Mr. Augustin Rugiramasasu.

10. Each candidate was presented to the councillors, and the voting began at 12.55 p.m. At that point some members of the RADER party left the enclosure, but most of that party's delegates took part in the voting. At 3.48 p.m., the Minister for the Interior announced the results of the vote. They were as follows:

11. Of the 3,126 burgomasters and councillors in Rwanda, 2,873 voted, i.e. 91.9 per cent; Mr. Mbonyumutwa obtained 2,391 votes, Mr. Gitera 433, Mr. Munyankuge 7 and Mr. Rugiramasasu 6 votes. There were 36 spoiled papers. The Minister for the Interior announced that accordingly Mr. Mbonyumutwa was elected President of the Republic of Rwanda, having obtained 83.2 per cent of the votes cast as against 15 per cent cast for Mr. Gitera.

12. Immediately after the results were announced, Mr. Rwasibo declared that the burgomasters and councillors would proceed to the election of the members of the Legislative Assembly of Rwanda. The voting would be carried out by districts and the seats, 44 in all, would be distributed in the following way: 8 to Astrida; 5 to Ruhengeri and Kigali; 4 to Gitarama, Nyanza, Kibungu, Biumba and Kisenyi; 3 to Kibuye and Shungu.

13. The voting gave 40 seats to PARMEHUTU, which took all the seats in nine of the ten districts; in the district of Astrida, 4 seats went to PARMEHUTU and 4 to APRO-SOMA. The candidates of APADEC, AREDETTWA and RADER (the latter's candidates standing as individuals) obtained no seats.

14. Mr. Mbonyumutwa then entrusted Mr. Grégoire Kayibanda with the task of forming the Government. While the latter was consulting certain notables, the Legislative Assembly which had just been elected met to elect its President and Vice-President. Mr. Gitera was elected President, having been proposed by the PARMEHUTU party, while Mr. Mpakanye defeated Mr. Munyangaju for the Vice-Presidency.

15. Shortly after 7.30 p.m., Mr. Kayibanda announced the formation of a Government composed as follows:

*Prime Minister and Education:* Mr. Grégoire Kayibanda, with Mr. Otto Rusingizandekwe as *Secretary of State*.

*Minister for the Interior:* Mr. Jean-Baptiste Rwasibo.

*Minister for Agriculture:* Mr. Balthazar Bicamumpaka.

*Minister for Social Affairs and Refugees:* Mr. Jacques Hakisumwami.

*Minister for Technical Affairs:* Mr. Théodore Sindikubabo.

*Minister for Economic Affairs:* Mr. Calixte Habamenshi.

*Minister for Finance:* Mr. Gaspard Cyimana.

*Minister for Justice:* Mr. Anastase Makuza.

*Minister for Foreign Affairs:* Messrs. Aloys Munyangaju and Messrs. Germain Gasingwa.

*Minister for National Defence:* Mr. Isidore Sebazungu.

16. Mr. Mbonyumutwa then announced the institution of a Supreme Court composed of Messrs. Isidore Nzeyimana, President; Daniel Shamukiga, Claver Ndahayo, Narcisse Sekerere and Franciscus Ackerman.

17. Lastly, he stated the broad principles which were to guide the new Rwandese State. They were as follows:

(a) Rwanda is a democratic and sovereign Republic;

(b) Rwandese nationality shall be defined by law;

(c) Rwanda is divided into ten prefectures sub-divided into communes;

(d) Rwanda recognizes the following institutions: a President of the Republic; a Government; a Legislative Assembly, and a Supreme court;

(e) All citizens of Rwanda are equal before the law, without distinction of colour, race or religion;

(f) All the Banyaruanda, without distinction, have access to schools, but schools in which the proportion of attendance does not correspond to the ethnic distribution of the population may be closed or requisitioned;

(g) Rwanda recognizes the interim trusteeship of the United Nations, and Belgium as the administering Power;

(h) Decisions concerning independence must be submitted to the Legislative Assembly and to the Supreme Court.

18. The President-elect, Mr. Mbonyumutwa, ended by stating that those measures would enter into force on 28 January 1961, and that 28 January would be Rwanda's National Day. He announced that Monday, 30 January 1961, would be a holiday for all the workers of Rwanda.

19. The day ended with a speech by Mr. Kayibanda, who announced that as from 25 January 1961 the Belgian Government had granted autonomy to Rwanda. He predicted difficult days ahead for the country's inhabitants, but hoped that they would nevertheless achieve peace and prosperity. The meeting ended at about 9 p.m.

## ANNEX XVIII

### Telegram dated 28 January 1961 from the "Rwandese National Congress and Permanent Institutions" to the Resident-General and the Resident of Rwanda

Considering the equivocal attitude adopted by Belgium and the United Nations with regard to legislative elections in Rwanda, having regard to arbitrary decisions contrary to the conclusions reached at the talks at Kisenyi and Ostend, in view of the gravity of the situation and in response to the desire of the majority of the Rwandese peoples to see their country progress in unity, harmony and real democracy, the people of Ruanda, courageously assuming their grave responsibilities, having met officially and freely in a national congress at Gitarama on twenty-eight January of the year of Our Lord nineteen hundred and sixty-one, have taken the following decisions and solemnly established the following permanent democratic institutions, in the higher interest of the nations and with a view to the final restoration of peace in the country: abolition of the Mwami form of government and deposition of Kigeli V Ndahindurwa, solemn proclamation of the Republic of Rwanda, election of the President of the Republic, promulgation of the Rwandese Constitution, establishment of a permanent Government, holding of indirect elections to the Legislative Assembly, creation of a Supreme Court—all of which are democratic institutions established in accordance with the wishes of the Rwandese nation, as freely expressed by its natural representatives.

The Rwandese National Congress and permanent democratic institutions are happy to co-operate with Belgium and all free nations in a spirit of loyalty and friendship and invite the Belgian Government and the local trusteeship authorities squarely to face their responsibilities.

We therefore urgently request that, in the next few weeks, a conference should be organized by Belgium and the United Nations in Rwanda to discuss the question of the independence of Rwanda.

THE RWANDESE NATIONAL CONGRESS AND PERMANENT INSTITUTIONS

(Signed) MBONYUMUTWA, President of the Republic  
NZEYIMANA, President of the Supreme Court  
J. GITERA, President of the Legislative Assembly  
KAYIBANDA, Prime Minister

## ANNEX XIX

### Official communiqué concerning the appointment, on 29 January 1961, of the Interim Council of Burundi

1. Following the decision to postpone the legislative election, the Government proceeded to the establishment of interim structures in Burundi. In accordance with this decision, the burgomasters and communal councillors took part, on 29 January 1961, in the election of an Interim Council of Burundi.

2. A real feeling of unrest had become apparent in several places in the country—particularly at Ngozi, Kayanza and Ruyigi—where thousands of people had demonstrated during the preceding few days in favour of immediate elections.

3. UPRONA on the other hand, exploiting that state of tension by a campaign of intimidation, was attempting to boycott the setting up of the Interim Council.

4. In the Province of Muramvya, which comprises three electoral districts, UPRONA had gained a large majority in the communal elections and managed to stop the voting operations. The same thing occurred in one electoral district of each of the Kirundo and Muhinga Provinces. This campaign thus obtained a response only in five districts out of a total of sixty-four.

5. Five candidates of the UPRONA coalition were elected.

6. Lastly, the parties of the Front commun and UPRONA were in competition in the great majority of electoral districts.

7. Here are the results of the second-stage elections organized for the formation of the Council of the State:

*District of Ngozi:*

Province of Kayanza: Percentage voting, 86.5 per cent. The nine seats to be allocated were won by PDC.

*District of Muramvya:*

Province of Muramvya: We recall that, in this province, the majority party UPRONA stopped the voting operations in the three districts comprised in the province.

Province of Mwaro: Percentage voting, 89.3 per cent. One seat was won by the Parti du peuple; one seat was won by Parti démocratique rural; one seat was won by UPRONA.

*District of Bururi:*

Province of Bururi: Percentage voting, 84.2 per cent. Two seats were won by the Parti démocrate chrétien; one seat was won by UPRONA; one seat was won by the Mouvement rural du Burundi.

Province of Makamba: Percentage voting, 96.8 per cent. Two seats were won by PDC; one seat was won by UPRONA.

*District of Mulunga:*

Province of Muhinga: Percentage voting, 41 per cent. Two seats were won by PDC; one seat was won by the Parti démocratique rural. The low percentage of voting in this province is due to the fact that in one of the districts the instruction to abstain was widely followed.

Province of Kirundo: Percentage voting, 82.4 per cent. The four seats were won by PDC.

We recall that the voters of one electoral district did not take part in the voting because of the campaign of intimidation carried out by UPRONA.

*District of Rutana:*

The district contains only one province. Percentage voting, 93.2 per cent. One seat was won by PDC and one by the Rassemblement populaire du Burundi.

*District of Kitega:*

Province of Kitega: Percentage voting, 87.6 per cent. The five seats were won by the Parti du peuple.

Province of Karuzi: Percentage voting, 92.7 per cent. The three seats were won by PDC.

Province of Bukirasazi: Percentage voting, 65.9 per cent. Two seats were won by the Parti du peuple; two seats were won by the Parti démocratique rural; one seat was won by PDC.

*Districts of Bubanza and Usumbura:*

The percentage voting was 71.9 per cent; two seats were won by the Rassemblement populaire du Burundi, and one by the Union démocratique paysanne; one by UPRONA; one by the party La voix du peuple murundi; one by PDC, one by the Parti du peuple and one by an individual.

*District of Ruyigi:*

Province of Kankuzo: Percentage voting, 100 per cent. The seat to be allocated was won by the Mouvement progressiste du Burundi.

Province of Ruyigi: Percentage voting, 85.7 per cent. Two seats were won by the Parti démocratique rural; one seat was won by the Union nationale du Burundi.

In four electoral districts, some voters who belonged to various parties and who, owing to the campaign of intimidation carried out in the State, did not dare to go to the polls, lodged complaints with the competent authorities.

## ANNEX XX

### Official Belgian Government communiqué dated 1 February 1961 defining Belgium's attitude towards what took place at Gitarama

1. As the Belgian Government had occasion to explain in a recent communiqué regarding the implementation of the United Nations resolutions on the future of Rwanda and Burundi, the legislative elections envisaged for the middle of January 1961 in those two countries were postponed to a date which was to be fixed for as soon as possible after the resumption of the work of the fifteenth session of the United Nations General Assembly on 7 March 1961.

2. In Rwanda, the reaction of the indigenous authorities, supported by the broad masses of the population, has just been shown at Gitarama, to which place, on 28 January 1961, the Minister for the Interior of the Provisional Government convened all the burgomasters and communal councillors.

3. The Belgian authorities considered that they had no grounds for forcibly opposing the general manifestation of a desire peacefully expressed, since such a course might risk provoking disturbances the consequences of which would have been disastrous for the country.

4. Several decisions emerged from that meeting, including that of setting up a new Government. As the latter exercises *de facto* authority, Belgium is ready to discuss with it the establishment of the country's final structures.

5. However, in accordance with the Trusteeship Agreement, Belgium will, in any case retain the authority belonging to it as Administering Authority and will continue, therefore, to assume the responsibilities to the United Nations deriving from it.

6. The principles put forward by the Gitarama meeting will have to be considered by the responsible Belgian Government which, in agreement on the one hand with the representatives of the United Nations and, on the other, with those of the Rwandese peoples concerned, will endeavour, within a short space of time, to find solutions such as will maintain peace and enable Rwanda to achieve independence in accordance with the wish of its inhabitants.

7. The political leaders of Rwanda who were at Gitarama have also requested that a meeting of representatives of Rwanda, Belgium and the United Nations take place shortly.

8. Lastly, the present development of the political situation in Rwanda does not exclude general elections.

9. The United Nations Commission, established by General Assembly resolution 1579 (XV), is at present at Usumbura and is being kept regularly informed of the course of events.

## ANNEX XXI

### Constitution of the Republic of Rwanda

#### PREAMBLE

We, the Members of the Legislative Assembly and of the autonomous Government of Rwanda, together with the heads of the communes and the communal councillors, having been elected directly by our people, and being freely assembled in a constituent national congress in order definitively to liberate the inhabitants of Rwanda and endow our country with a truly democratic régime, in order to bring peace to the people, in order to form a more perfect national union, establish justice and respect for the human person in our country, in order to ensure domestic tranquillity, in order to liberate the people from the feudal and colonial yoke, foster the general welfare, secure prosperity and the benefits of freedom to ourselves and our descendants, in order to give effect to the decisions and declarations made by us on 28 January 1961, and in order to

ensure the genuine co-operation of our country with the other peoples of Africa and of the world, DO HEREBY ORDAIN, ESTABLISH AND PROCLAIM this Constitution of Rwanda:

#### CHAPTER I

##### *General*

ARTICLE 1. Rwanda shall be a democratic and sovereign Republic.

ARTICLE 2. Rwandese nationality shall be defined by law.

ARTICLE 3. The Republic of Rwanda shall consist of ten prefectures, each endowed with juridical personality. Every prefecture shall be divided into communes, each endowed with juridical personality.

The boundaries of the prefectures and communes may be altered only by law.

#### CHAPTER II

##### *Bases of society*

ARTICLE 4. The family, with its three constituent elements, the husband, the wife and the children, shall be the basis of Rwandese society.

ARTICLE 5. The economy shall be organized in accordance with plans which conform to the principles of social justice, the promotion of the family, the development of productivity, and the improvement of living standards.

ARTICLE 6. Private property shall be inviolable. Private property may not be expropriated save in the public interest, and then only against just and prior compensation and in accordance with the law.

ARTICLE 7. Social justice shall be the basis of public taxes and assessments.

ARTICLE 8. All Communist activity and propaganda shall be prohibited.

#### CHAPTER III

##### *Rights and obligations*

ARTICLE 9. All Rwandese citizens shall be equal before the law, irrespective of race, clan, colour or religion.

ARTICLE 10. No penalty may be imposed except in pursuance of a written law. Each person shall be individually liable save as otherwise provided by law.

ARTICLE 11. The extradition of political refugees shall only be authorized within the limits prescribed by law.

ARTICLE 12. Basic freedoms as set out in the Universal Declaration of Human Rights shall be guaranteed to all citizens, subject to the exceptions to be regulated by law.

ARTICLE 13. Military service shall be compulsory for every male person between eighteen and twenty-one years of age, subject to deferment and other exceptions to be regulated by law. It shall be directed essentially towards the training of youth.

ARTICLE 14. School attendance shall be compulsory for all children between six and fifteen years of age living within a radius of six kilometres from a school. Up to that age schooling shall be free.

#### CHAPTER IV

##### *System of government*

ARTICLE 15. The separation of the legislative, executive and judiciary powers shall be established and regulated by this Constitution.

ARTICLE 16. The Republic of Rwanda shall be governed by the following higher organs:

1. The President of the Republic, who shall be the supreme head of the State;

2. The Government shall be headed by a Prime Minister;

3. The Legislative Assembly presided over by a Speaker (*président du Conseil*) and a Deputy Speaker (*vice-président*) elected from among its members;

4. The Supreme Court presided over by a President of the Supreme Court.

ARTICLE 17. The President of the Republic shall be elected by the National Congress by a simple majority.

The Speaker and Deputy Speaker of the Legislative Assembly shall be elected by the Legislative Assembly at its first meeting by a simple majority.

The Prime Minister shall be appointed by the President of the Republic.

The President of the Supreme Court shall be appointed by the President of the Republic upon presentation of a list of two candidates nominated by the Legislative Assembly and the Government meeting in joint session.

ARTICLE 18. Before assuming duties as a member of Parliament, minister, senior magistrate or Head of State, a citizen must publicly take the following oath: "*Before Almighty God, I swear to the Rwandese nation to remain loyal to the Republic of Rwanda and its government, and to promote the interests of the Rwandese people with full respect for the present Constitution and the laws.*"

The oath shall be administered to the President of the Republic by the President of the Supreme Court, and to ministers, members of Parliament and members of the Supreme Court by the President of the Republic or his deputy, at the opening meeting of the Legislative Assembly.

#### CHAPTER V

##### *Provisional arrangements*

ARTICLE A. The Republic of Rwanda shall recognize the provisional trusteeship of the United Nations assumed by Belgium as the administering Power and exercised in conformity with the United Nations Charter, the Trusteeship Agreement, the Universal Declaration of Human Rights and, from the present date, this Constitution.

ARTICLE B. Trusteeship shall be exercised through a right of supervision, of veto and of technical and financial assistance, as regulated by the present Constitution and by laws negotiated by common agreement.

ARTICLE C. No further appointment or transfer of trusteeship officials take place except after negotiations between the competent trusteeship authority and the Prime Minister.

ARTICLE D. Decisions relating to the independence of the Republic of Rwanda must be submitted to the Legislative Assembly and approved by the Supreme Court.

#### CHAPTER VI

##### *The head of the State*

ARTICLE 19. The President of the Republic shall be the supreme head of the country.

ARTICLE 20. The President of the Republic of Rwanda shall be elected every five years by the National Congress; members of Parliament, burgomasters and communal councillors shall be *ex officio* members of the National Congress.

ARTICLE 21. The election of the President of the Republic shall be conducted by the President of the Supreme Court within the limits prescribed by law.

ARTICLE 22. All male citizens of Rwanda of not less than thirty-five years of age, who have been elected communal councillors shall be eligible, as provided by law, for the Presidency of the Republic.

ARTICLE 23. The President of the Republic may not, during his term of office, carry on any commercial, financial or industrial occupation, acquire or surrender property belonging to the State, or exchange property of his own for State property.

ARTICLE 24. The President of the Republic may address messages to the nation if they bear the counter-signature of the President of the Council of Ministers.

#### CHAPTER VII

##### *The executive power*

ARTICLE 25. The executive power shall vest primarily in the President of the Republic. The President of the Republic

shall, within the limits prescribed by this Constitution, exercise the powers of approval, of initiating laws, of sanction and proclamation conferred upon him by this Constitution.

If the President of the Republic exercises a suspensory veto against an Act passed by the Legislative Assembly, he shall, within a period of fifteen days, resubmit it to the Assembly for a second reading.

If the Act resubmitted to the Legislative Assembly within the prescribed period is passed at the second reading by a two-thirds majority of the members present, it shall acquire the force of law and must be promulgated.

ARTICLE 26. If the head of the Republic is guilty of unbecoming conduct, his removal shall be decided by the Supreme Court after consultation with the Legislative Assembly and the Government meeting in joint and private session.

ARTICLE 27. In the case of an interruption in the Presidency, the powers of the President shall be assumed and exercised by the Council of Ministers under the responsibility of the Prime Minister.

ARTICLE 28. The Prime Minister shall be appointed by the President of the Republic. The ministers shall be appointed by the President of the Republic on the recommendation of the Prime Minister.

ARTICLE 29. Each minister shall supervise the activities of his department and ensure the execution of Presidential regulations and of the laws.

ARTICLE 30. Ministers may not, during their term of office, engage in any commercial, financial or industrial activity, acquire or surrender property belonging to the State, or exchange property of their own for State property.

ARTICLE 31. A person may not be a minister if he is a relative or member of the family of the Prime Minister or of the President of the Republic.

ARTICLE 32. The Council of Ministers shall meet when summoned by the Prime Minister or at the order of the President of the Republic. All bills originating with the executive shall be considered by the Council of Ministers.

ARTICLE 33. The President of the Republic shall be the supreme chief of the National Guard.

ARTICLE 34. The President of the Republic shall conclude treaties and submit them to the Assembly for ratification.

Nevertheless, peace treaties, treaties of alliance, commercial treaties, all treaties which may lead to changes in the frontiers of the national Territory or which affect the rights of sovereignty and treaties with budgetary implications not provided for in the budget shall acquire legal force only after ratification by the Legislative Assembly.

ARTICLE 35. The President of the Republic shall appoint the prefects and burgomasters on the recommendation of the Minister for the Interior made after consultation with the citizens concerned. He shall also appoint the members of the Supreme Court on the recommendation of the President of the Court and after consultation with the Legislative Assembly.

#### CHAPTER VIII

##### *The legislative power*

ARTICLE 36. The legislative power shall vest collectively in the Legislative Assembly and the President of the Republic in conformity with this Constitution. The number of members of the Legislative Assembly shall be determined by a presidential decree. They shall in every case be elected on the basis of direct universal suffrage with the exception of the Assembly of the constituent national congress.

ARTICLE 37. The Legislative Assembly may meet only in the capital, except in cases of *force majeure* provided for by law.

ARTICLE 38. Each session of the Legislative Assembly shall be summoned, opened and closed by the President of the Republic. If he is absent or incapacitated, this function shall be discharged by the President of the Council of Ministers.

ARTICLE 39. Meetings of the Legislative Assembly shall be public. Private meetings may, however, be decided upon by the Speaker of the Assembly upon a two-thirds majority vote.

ARTICLE 40. The Legislative Assembly shall review the vetoes of the executive power in the manner prescribed by this Constitution.

ARTICLE 41. A candidate for the office of deputy to the Assembly must be not less than twenty-five years of age and must fulfil all the conditions laid down by the electoral law.

ARTICLE 42. All meetings of the Legislative Assembly held without having been summoned or without an agenda or held outside a session shall be null and void.

ARTICLE 43. Before assuming their functions, members of the Legislative Assembly must take the prescribed constitutional oath.

ARTICLE 44. The Legislative Assembly shall establish its rules of procedure.

ARTICLE 45. The Legislative Assembly may interpellate or put questions to a Minister. Except in urgent cases and with the consent of the Minister concerned, an interpellation may not be discussed within less than seven days after it has been requested.

ARTICLE 46. No form of taxation may be established, modified or abolished except by law. No person may be exempted from such taxation except as provided by law. No tax or other charge may be imposed except within the limits defined by law.

ARTICLE 47. The basic rules for the collection of public revenues and the disbursement of public funds shall be prescribed by law.

ARTICLE 48. Without the prior consent of the Legislative Assembly, the Government may not contract a loan or enter into a commitment likely to constitute a charge on the public Treasury for more than one or several years.

ARTICLE 49. No monopoly may be granted except by law and for a specified period.

ARTICLE 50. The procedure for preparing the national budget and submitting it to the Legislative Assembly shall be prescribed by law.

ARTICLE 51. The general budget estimates of the Republic shall be submitted to the Legislative Assembly for examination and approval not later than three months before the end of the financial year.

Each section of the budget shall be voted upon separately. The Legislative Assembly may not amend the budget estimates except with the agreement of the Government. In the event of disagreement, a ruling shall be given by the Supreme Court.

ARTICLE 52. Any transfer of funds from one section of the budget to another and any expenditure for which no budgetary provision was made or which exceeds the budget appropriations must be approved beforehand by the Legislative Assembly.

ARTICLE 53. Estimates relating to the budget of the Republic shall apply to the separate budgets contained in annexes.

ARTICLE 54. The regulations for the budgets of other public agencies shall be prescribed by law.

ARTICLE 55. The Budget Act shall remain in force for one year. The financial year shall begin on 1 January and end on 31 December.

ARTICLE 56. Unless apprehended in the commission of an offence, a deputy may not be prosecuted while the Legislative Assembly is in session nor without the authorization of that body.

In any event, the matter shall come under the jurisdiction of the Supreme Court.

ARTICLE 57. No deputy may be deprived of his office except by virtue of a decision made by a two-thirds majority of the Legislative Assembly at a private meeting on the proposal of twenty members.

ARTICLE 58. The President of the Republic may dissolve the Legislative Assembly. In such event, a new Assembly shall be elected and shall be convened within six days after the elections.

ARTICLE 59. In the case of a vote of no-confidence against a minister, he must tender his resignation to the President of the Republic.

A motion of censure against a minister may not be submitted to the Legislative Assembly until an interpellation has been addressed to the minister concerned. The motion must be proposed by twenty members of the Assembly. No decision may be taken until three days after the date on which the motion was submitted.

ARTICLE 60. No member of the Legislative Assembly may, during his period of office, acquire, rent or surrender any State property or surrender, sell or tender in exchange any part of a State property.

#### CHAPTER IX

##### *The judicial power*

ARTICLE 61. The judicial power shall vest in the Supreme Court of the Republic.

ARTICLE 62. The Supreme Court shall consist of five members, the President to be appointed by the President of the Republic in accordance with the provisions of this Constitution.

ARTICLE 63. In addition to its supervisory function as a court of final instance in relation to other courts, the Supreme Court shall rule on the constitutionality of the laws of the Republic of Rwanda, on disputes between the State and individuals and on disputes between the Legislative Assembly and the Government of the Republic of Rwanda, and shall have sole jurisdiction to try the President of the Republic and the members of the Government and of Parliament.

ARTICLE 64. Judges shall be independent. In the exercise of their functions they shall be subject only to the law within the limits of this Constitution.

ARTICLE 65. Appointments, transfers and irremovability of judges as well as their status and remuneration shall be determined by law.

ARTICLE 66. The only courts for which provision is made in this Constitution are: the cantonal court, the court of first instance, the court of appeal and the Supreme Court.

The number and organization of courts shall be determined by law.

ARTICLE 67. The proceedings of the courts shall be public except where, *in camera* proceedings are ordered by the court in the interests of public order and morality.

ARTICLE 68. The judgements of the courts shall be pronounced and enforced in the name of the Republic.

#### CHAPTER X

##### *General provisions*

ARTICLE 69. The national flag and the flag code shall be determined by law.

ARTICLE 70. Provisions of law shall apply only to the future and shall have no retroactive effect.

ARTICLE 71. Every law shall be published in the Official Gazette of the Republic within two weeks of its promulgation and shall not acquire legal force until ten days after its publication.

All measures of the Government shall be published in the Official Gazette of the Republic within seven days after they have been taken, and shall immediately acquire legal force.

The aforementioned periods may, however, be extended or shortened if the law or measure so specifies.

ARTICLE 72. No person whose father is not of Rwandese origin may claim the political rights granted to Rwandese citizens unless he acquires Rwandese nationality by a decision of the Supreme Court.

ARTICLE 73. The private domicile shall be inviolable.

ARTICLE 74. Both civil marriages and religious marriages shall be recognized by the Constitution.

The marriage of an adherent of a religion may not, however, be registered unless a certificate from the competent religious authority is produced.

ARTICLE 75. The Constitution of the Republic of Rwanda shall prohibit divorce. Only a judicial separation may be granted by the court of first instance at the suit of the *Ministère public*.

ARTICLE 76. Polygamy shall be completely abolished.

ARTICLE 77. Government by the Mwami shall be completely abolished.

ARTICLE 78. The Constitution shall recognize State and private education.

Subsidies to schools shall be determined in proportion to the number of pupils.

Other provisions concerning education shall be determined by law.

ARTICLE 79. The present Constitution is adopted by the National Congress acting in lieu and on behalf of the people of Rwanda and shall come into force on 1 February 1961.

ARTICLE 80. The motto of the Republic of Rwanda shall be "Liberty, co-operation, progress".

DONE at Gitarama, 28 January 1961.

In the name of the people of Rwanda,

Jos. Habyarimana Gitera, *Speaker of the Legislative Assembly*  
Dominique Mbonyumutwa, *President of the Republic*  
Grégoire Kayibanda, *President of the Council of Ministers*  
Isidore Nzeyimana, *President of the Supreme Court*

##### *Prefects:*

M. Niyonzima, *Prefect of Gitarama*  
B. Bashakira, *Prefect of Biumba*  
J. Sagahutu, *Prefect of Nyanza*  
J. B. Habyarimana, *Prefect of Astrida*  
B. Nkundabagenzi, *Prefect of Shangugu*  
Ch. Kalinijabo, *Prefect of Kigali*  
L. Mpakaniye, *Prefect of Ruhengeri*  
A. Babonampoze, *Prefect of Kisenyi*  
Ph. Gasuhuke, *Prefect of Kibungu*  
Kanyandekwe, *Prefect of Kibuye*

##### *Party leaders:*

B. Bicumumpaka  
Ch. Byungura  
Ez. Mpamo  
V. Kalima  
A. Ndayambaje  
G. Gasingwa  
Is. Sebazungu  
A. Mbarubukeye  
A. Rugira  
C. Ndahayo  
C. Mulindahabi  
N. Sakerere  
W. Banzi  
G. Cyimana  
Th. Sindikubwabo

J. B. RWASIBO

*Advocate-General of the Republic of Rwanda*

#### ANNEX XXII

##### **Copy of a letter dated 26 January 1961 from the Mwami of Burundi to the Resident-General**

*(transmitted to the United Nations Commission by the Mwami on 2 February 1961)*

At 12.15 p.m. on 26 January 1961 the Usumbura radio announced that in agreement with the Mwami the Resident-General had formed a provisional government for Burundi. I wish to state that this statement is incorrect. I have always told you that I agreed that all political parties should be given a hearing on the question of a "provisional government" and that I shall come to a final decision one way or another after such consultations.

That is all that I have said and I can no longer permit utterly false news given on the radio to create antagonism between my people or a section of my people and myself. I therefore categorically deny the false statements broadcast by the Usumbura radio and I repeat that I reserve my final judgement until all political parties have freely and fully expressed their point of view on the establishment of a "provisional government" of Burundi.

### ANNEX XXIII

#### **Note verbale, dated 7 February 1961, from the Secretary-General of Ruanda-Urundi to the United Nations Commission**

The Secretary-General of Ruanda-Urundi has the honour to inform the Chairman of the United Nations Commission for Ruanda-Urundi that the Belgian Government has decided to give *de facto* recognition to the following public authorities which were instituted on 28 January 1961 by the general assembly meeting at Gitarama:

The Provisional Government,

The Council of Rwanda,

The burgomasters and communal councillors.

The powers of autonomy provided for in Legislative Order No. 02/16 of 15 January 1961 will be exercised by those authorities.

These decisions are taken pending agreement on a *de jure* solution with the representatives of Rwanda and the United Nations.

The Secretary-General of Ruanda-Urundi has the honour to be, etc.

### ANNEX XXIV

#### **Note verbale, dated 8 February 1961, from the Chairman of the United Nations Commission to the Secretary-General of Ruanda-Urundi**

The Chairman of the United Nations Commission for Ruanda-Urundi has the honour to acknowledge receipt of the *note verbale* dated 7 February 1961 from the Secretary-General of Ruanda-Urundi and takes note of its contents.

As the decisions of the Belgian Government modify the political and legal aspects of the question of Ruanda-Urundi as they existed at the time of the adoption of General Assembly resolutions 1579 (XV) and 1580 (XV), the United Nations Commission for Ruanda-Urundi, whose terms of reference are strictly defined by these resolutions, considers that only the General Assembly is competent to evaluate the new factors in the situation and to take any decision in that connexion.

The Chairman of the United Nations Commission for Ruanda-Urundi has the honour to be, etc.

### ANNEX XXV

#### **Copy of a letter dated 5 February 1961 from the Mwami of Burundi to the Resident-General**

(transmitted to the United Nations Commission by the Mwami on 10 February 1961)

I have the honour to inform you of my apprehensions and my position vis-à-vis the confused and tense political situation in my State. When the Front commun proposed on 24 February 1961 that I should give my approval to a provisional government, I replied that I would first of all consult all the political parties, and I confirmed this in my letter of 27 January 1961. I also requested that all the parties should consult with each other in order to form a national coalition government.

Unfortunately, the Provisional Government was in fact formed without my approval being awaited and, on that score, the Usumbura Broadcasting Service was so tactless and politically rash as to proclaim that the Resident-General had installed the Government in question with the prior agreement of the Mwami, a statement against which I protested in my letter of 27 January.

However, following the audience which I granted to the other parties (UPRONA and Coalition), not only did I receive a letter from the UPRONA Coalition explaining the reason why it refused to participate in the above-mentioned Government, but it also attached a proposal for another provisional government with a nationalist and progressive outlook (see the said Coalition's letter of 3 February 1961).

This means that I am now confronted with two provisional governments, both formed without my prior approval. Not being able to accept both of them, and since there is a conflict between two important blocs of opinion, I prefer to reject both, pending the formation of a definitive government as a result of the forthcoming legislative elections to be held by direct universal suffrage in accordance with the resolutions approved at the 1094th meeting of the Fourth Committee of the United Nations General Assembly and accepted by the Belgian Government.

However, since all sides seemingly agree on the principle of a provisional government, I take the responsibility for forming a Provisional Government of National Union which I propose to you, taking account of no considerations other than the demands of wisdom, reason and the political realities of Burundi.

Since the Murundi people places all its confidence in me, and after so many years of frank co-operation with the Administering Authority, I should like to believe that, in this critical moment of my reign, Murundi and Belgian public opinion will permit me to play my part as leader and impartial arbiter. This Provisional Government of National Union which I envisage will be composed of all parties of any importance; and as for the Ministers, I shall take those who show a tendency towards moderation and are above reproach so far as the people is concerned. During this transitional period I wish, in fact, to be able to work for the good of my people with a provisional government which will not arouse passions and useless, dangerous quarrels prejudicial to the peace and prosperity of Burundi.

Attached hereto is my proposal regarding the composition of the Provisional Government. I shall be happy if this proposal meets with your agreement, and I hope that our co-operation will be preserved intact, for the good of the Murundi people.

I have the honour to be, etc.

### APPENDIX

#### PROVISIONAL GOVERNMENT OF NATIONAL UNION

##### *Department and Minister:*

1. Prime Minister and Recruitment: Joseph Cimpaye
2. Interior and Justice: Pierre Ngunzu
3. Natural Resources (agriculture, animal husbandry, land titles and economic affairs): Joseph Nindorera
4. Social Affairs (medicine, education and social service): Emmanuel Nigane
5. Technical Affairs: Stanislas Mbarushimana
6. Finance: Pierre Ngendandumwe

NOTE: Mr. Joseph Cimpaye belongs to the UMB Party and to the Muhutu race; he is a veterinary assistant, and Commissioner of Public Works.

Mr. Pierre Ngunzu belongs to the HUTU-TUTSI-TWA Party and to the Muhutu race; he is an honorary chief of a chiefdom, and a businessman.

Mr. Joseph Nindorera belongs to the PDR Party and to the Mututsi race; he is a medical assisant, and a Provincial Administrator.

Mr. Emmanuel Nigane belongs to the PP Party and to the Muhutu race; he is a medical assistant, and Commissioner of Personnel.

Mr. Stanislas Mbarushimana belongs to the PDC Party and to the Mututsi race; he is a veterinary assistant.

Mr. Pierre Ngendandumwe belongs to the UPRONA and to the Muhutu race; he is an assistant Territorial Administrator, and Assistant Controller of the Budget of Burundi.

## ANNEX XXVI

**Telegram dated 10 February 1961 from Mr. Joseph Gitera to the United Nations Commission**

Population Rwanda Republic has presentiment that Belgian Trusteeship Ruanda-Urundi will be terminated in very near future. We think such termination of Trusteeship is only effective means whereby Belgium, vilified by all, and leaders of democratic parties of humble people of Rwanda and Burundi, falsely termed lackeys of Belgian colonialism, can put end to artful lies of feudalists of every stripe. We thank Belgium for its good intentions and for outstanding benefits rendered Rwanda and Burundi. We assure Belgium of eternal gratitude and friendship. We beg Belgium to ensure that termination of Trusteeship is friendly, with signature and countersignature by Banyarwanda with Belgium or European community of treaties of sincere friendship and with formal assurances of economic and military co-operation. We declare we have not slightest wish for replacement of Belgian Trusteeship by colonialism of United Nations or any other nation. We think black and white people of Rwanda and Burundi, closely and fraternally united, can ensure best future for our people of Rwanda and Burundi. We adjure every inhabitant of Rwanda and Burundi, whether black or white, resolutely to take heart and prepare worthily to receive independence of Rwanda and Burundi. We invite rascals, saboteurs, cowards, selfish profiteers and crafty exploiters, of whatever kidney, to desist from their crimes. We ask them to quit our ranks. Independence of Rwanda and Burundi should be entrusted to genuine and deserving representatives, both black and white, and not thrown away on passing spellbinders, adventurers or rapacious foreigners. We ask Belgium, European community and States Members of United Nations which still treasure human ideals to support and protect national movement and social development of humble people Republic Rwanda.

(Signed) JOSEPH GITERA

## ANNEX XXVII

**Communication dated 3 March 1961 from the Belgian Government to the Chairman of the United Nations Commission**

The Belgian Government has the honour to refer to:

1. The letter of 25 January 1961, in which Mr. Wigny, Minister for Foreign Affairs, informed His Excellency Mr. Dorsinville of various considerations and decisions resulting from the two resolutions adopted by the General Assembly of the United Nations, on 20 December 1960, concerning the future of Ruanda-Urundi and the question of the Mwami.

2. The discussions held at Brussels on 15 and 16 February between the members of the Commission for Ruanda-Urundi and the representatives of the Belgian Government, after the Commission's visit to the Territory.

In response to a wish expressed verbally by His Excellency Mr. Dorsinville, the Belgian Government confirms below the main points in the views which Mr. Wigny, Minister for Foreign Affairs, and Count H. d'Aspremont-Lynden, Minister for African Affairs, expressed orally before the Commission.

The aims of the United Nations and of Belgium are basically the same. Belgium seeks the rapid development of the territories of Ruanda-Urundi towards complete independence. The only points requiring clarification between Belgium and the United Nations concern the procedure and methods for this rapid progress. In this respect Belgium confirms its will to co-operate with the United Nations.

The Belgian Government wishes to afford the United Nations Commission, on the spot, all necessary collaboration. This collaboration should consist of:

The aid to be granted with a view to ensuring the accommodation and travel of the Commission;

A regular exchange of information;

A sustained effort of genuine co-operation.

It should be noted that the Commission's arrival coincided with particularly serious and unexpected events with which

an already overburdened Administration had to cope. These difficulties explain any impression, which the Commission may have derived, of the local Administration's being insufficiently available to it.

To meet the views of the General Assembly, the Belgian Government decided, barely three weeks before the date fixed for the legislative elections, to postpone these elections, which had been fixed for January 1961 in line with the report submitted on 2 June 1960 by the United Nations Visiting Mission.<sup>a</sup> The Belgian Government took this decision despite the serious difficulties to which it was liable to give rise.

In fact, in spite of the efforts of the Administering Authority, unheralded developments occurred locally. They caused additional complications and difficulties.

Admittedly, within the framework of the Trusteeship Agreement, Belgium remains solely responsible for the administration of the Territory.

And the Belgian Government is striving, as far as possible, to follow the recommendations made by the United Nations.

However, at the present stage of the Territory's political development, Chapter XII of the Charter of the United Nations enjoins that substantial account should be taken of the wishes of the people. In the existing state of affairs in the Territory, their co-operation is quite essential if the trusteeship mission is to be successfully accomplished.

These people have recently undergone a rapid political development. The political parties have evolved and become solidly organized.

In Burundi, by itself organizing in a very short space of time an interim government and Council of national union, the Belgian Government has been able to prevent the people from taking hasty decisions about their institutions.

In Rwanda, on the other hand, the people who had previously welcomed the announcement of the independent powers which the Administering Authority intended to grant them, were disappointed at the decision taken by the Belgian Government to follow the latest recommendations of the United Nations and feared in the end that they might lose the advantage of their social and political emancipation. For that reason, although these powers were effectively granted on 25 January 1961, the people spontaneously decided:

To carry out the institutional reforms of their own accord of which the principles had been drawn up during the Kisenyi Conference last December;

To solve the personal problem of Mwami Kigeli and the more general problem of the monarchy itself.

The Belgian Government stresses that these moves, taken without reference to the Administering Authority, create serious additional complications for it.

The present situation further complicates the already involved task of the Belgian Administration, which must see that the process of achieving independence is successfully carried out. The indigenous inhabitants desire this independence; Belgium is anxious that they should have it; and it is timed for the first half of 1962.

The Belgian Government has always considered and still considers that the end of trusteeship should be preceded by the establishment of autonomous institutions, as a result of general first stage elections.

Especially under existing conditions, these elections must be organized with the goodwill of the indigenous people. It would be deplorable if elections advocated jointly by the United Nations and the Administering Authority were to be boycotted.

The Belgian Government intends to grant amnesty to the largest possible number of people, as far as is compatible with public order, and more especially, with individual security. With that aim in view, it is prepared immediately to set up a commission of law officers and it would be glad if a United Nations representative could follow the work of the commission, which would be responsible for examining individual files and

<sup>a</sup> Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3.

suggesting possible criteria for implementing the amnesty measures.

The Belgian Government reiterates the proposal made to the United Nations Commission to consult all the legal files. The Commission would make the task of the Government considerably easier if it indicated the cases which it thought merited re-examination.

Both *de facto* and *de jure*, any emergency régime is abolished. The Belgian Government wishes to stress, moreover, that it only applied the emergency régime legislation in the most exceptional circumstances and for the shortest possible period compatible with the requirements of public order.

The Commission expressed its anxiety about the very wide scope of the powers conferred on the Resident-General by the Legislative Order of 25 October 1960.

The object of this Order was to confer upon the Administering Authority the necessary powers to ensure the maintenance of public order and calm, which is an essential condition for the harmonious development of the Territory towards independence. To achieve it, the Resident-General has the power to order supervised residence, a measure which had already been authorized by Legislative Order No. 44 of 27 August 1924.

Up to now this legislation has been applied only in a few exceptional cases.

It has been decided to make the existing system more flexible, and to supplement it with provisions giving the people concerned new guarantees, mainly in the form of a procedure for appeal at very short notice, and for a periodic revision of their case.

As far as communications which the Commission may feel it necessary to make over the official radio are concerned, the Belgian Government agrees to them in principle. Such communications should take into account Belgium's responsibility as Administering Authority.

The Belgian Government is confident that the United Nations Commission will arrange the administrative details with the Administering Authority in a spirit of reasonable co-operation.

### ANNEX XXVIII

#### Legislative Order No. 221/275 of 18 October 1960 establishing a Council and a Provisional Government in Rwanda

ARTICLE 1. A council and a Provisional Government shall be set up in Rwanda until such time as the new institutions are established.

ARTICLE 2. The Council of Rwanda shall be composed of forty-eight members appointed by the Resident-General, after consultation with the principal political parties.

ARTICLE 3. The Council shall adopt the necessary regulations on matters of regional importance within the limits of decrees, royal orders and ordinances.

It may attach penalties thereto not exceeding two months' penal servitude and 2,000 francs in fines.

It shall also carry out the functions entrusted to the High Council of State by the Decree of 14 July 1952.

ARTICLE 4. The Resident shall appoint an official to prepare and guide the work of the Council.

ARTICLE 5. The Resident-General shall establish the organic regulations of the Council.

ARTICLE 6. The Council shall establish its own rules of procedure, which shall be subject to the approval of the Resident.

ARTICLE 7. The Provisional Government shall consist of a Head of Government and of Ministers, who may be assisted by Secretaries of State.

A Minister who is absent or incapacitated shall be replaced by a Secretary of State.

ARTICLE 8. The Resident-General shall appoint the Head of the Provisional Government.

He shall appoint the Ministers and Secretaries of State after consultation with the Head of Government.

He shall determine their functions and powers.

ARTICLE 9. Within the limits of royal orders and general administrative ordinances, the Government shall direct the affairs of the State and exercise the executive power in the State.

It shall be responsible for carrying out the regulations adopted by the Council.

It shall, in addition, perform the functions entrusted to the Permanent Delegation of the High Council of State by the Decree of 14 July 1952.

In the event of the absence or incapacity of the Mwami, it shall exercise his powers.

ARTICLE 10. The Government, in agreement with the Council, shall submit to the administering Power a plan of institutions for the State, and their evolution towards independence.

ARTICLE 11. The members of the Council and of the Provisional Government shall be entitled to emoluments to be determined by the Resident after consultation with the Council.

ARTICLE 12. Decisions of the Council or the Government which concern the people as a whole shall be published by posting in the chief town of the State.

They shall become effective ten clear days after posting if the date of their entry into force is not otherwise specified.

ARTICLE 13. Without prejudice to other legal provisions relating to the trusteeship, the Resident-General or the Deputy-Resident may annul decisions of the Council or the Government which are contrary to the law or are not in the general interest.

ARTICLE 14. The Provisional Special Council of Rwanda is hereby dissolved.

ARTICLE 15. This Legislative Order shall enter into force on 18 October 1960.

### ANNEX XXIX

#### Legislative Order No. 221/296 of 25 October 1960 concerning trusteeship powers

ARTICLE 1. Belgium shall exercise trusteeship over the districts, the States and the subordinate authorities through the Resident-General.

The Resident-General shall be represented in each State by the Resident.

In respect of the territories or provinces and the communes, he shall be represented by a trusteeship officer (*délégué de la tutelle*).

#### Section 1. Powers of the Administering Authority over decisions of the States and the communes

ARTICLE 2. Without prejudice to the legal provisions governing the administrative trusteeship of the communes, the trusteeship officer may, in the public interest, suspend decisions by the authorities and councils of the districts or provinces and of the communes.

The Resident shall immediately be notified of any such suspension together with the reasons for it.

The suspension shall come to an end after thirty days, or earlier if the Resident so decides.

ARTICLE 3. The Resident-General and the Resident may, in the public interest, annul decisions by the authorities and councils of the districts or provinces and of the communes.

ARTICLE 4. The Resident may, in the public interest, suspend decisions by the authorities and councils of the State.

The Resident-General shall immediately be notified of any such suspension together with the reasons for it.

The suspension shall come to an end after thirty days, or earlier if the Resident-General so decides.

ARTICLE 5. The Resident-General may, in the public interest, annul decisions by the authorities and councils of the States.

ARTICLE 6. Where the public interest so requires, the Resident-General may take the place of the authorities and councils of the States, of the districts or provinces and of the communes and, either personally or through special commissioners appointed by him, take all the decisions within the competence of those authorities or councils.

ARTICLE 7. The same power shall vest in the Resident as regards decisions by the authorities and councils of the districts or provinces of the communes, and, if he is delegated to act on behalf of the Resident-General, of the States.

ARTICLE 8. In cases of emergency, the same power shall vest in the trusteeship officer as regards the authorities and councils of the districts or provinces and of the communes.

The Resident shall be immediately notified of measures taken under the preceding paragraph.

Such measures shall become null and void unless confirmed by the Resident within three months.

ARTICLE 9. The trusteeship officer may:

1. Order the evacuation of certain places;
2. Prohibit or suspend a meeting;
3. Order searches by day or by night.

ARTICLE 10. In addition to the powers provided for in the preceding article, the Resident may:

1. Order people to remove from a certain place, to be placed under surveillance or to be interned;
2. Prohibit or suspend meetings or make them subject to authorization;
3. Prohibit or limit travel or make it subject to authorization;
4. Order a search for, order the surrender or confiscation of, and regulate the use and possession of, arms, munitions, explosives and other devices or products which he considers dangerous.

In cases of emergency, the powers provided for in items 1 and 3 may be exercised by the trusteeship officer. His decisions shall cease to have effect if they are not confirmed within thirty days by the Resident.

ARTICLE 11. In addition to the powers provided for in articles 9 and 10, the Resident-General may:

1. Prohibit or suspend associations and publications or make them subject to authorization;
2. Order a search for, order the surrender or confiscation of, and regulate the use and possession of, means of transport, communication and transmission;
3. Suspend the dispatch and delivery of mail.

In cases of emergency, the same powers may be exercised by the Resident. His decisions shall cease to have effect if they are not confirmed within thirty days by the Resident-General.

ARTICLE 12. The authority shall in each case appoint an agent to carry out searches. He must produce the search warrant at the request of any individual or authority with an interest in establishing or checking his powers.

The agent entrusted with the search may, in the course thereof, seize objects, papers and documents which appear to be suspect or dangerous for the security of the State and the preservation of the peace.

ARTICLE 13. The authority which decides that persons are to be evacuated, removed, placed under surveillance or interned shall determine the conditions for such actions. It shall make such provision as it considers necessary for the care and preservation of the property of the persons who are subject to such measures.

ARTICLE 14. Any infringement of decisions taken in pursuance of articles 9 to 13 of this Legislative Order shall be punished by penal servitude for a term of not more than three years or by a fine of not more than 10,000 francs or by both such penalties.

ARTICLE 15. This Legislative Order shall enter into force on 25 October 1960.

## ANNEX XXX

### Legislative Order No. 02/16 of 15 January 1961 concerning the institutions of Rwanda

#### CHAPTER I

#### *The State*

##### Section 1. *The Legislative Assembly*

ARTICLE 1. A Legislative Assembly shall be established in Rwanda.

ARTICLE 2. The Assembly shall consist of forty-four members who shall be elected in accordance with the table annexed hereto.

ARTICLE 3. The members of the Assembly shall be elected for a term of four years.

No member of the Assembly shall be liable to prosecution for the opinions expressed or the votes cast by him in the exercise of his functions.

Any proceedings against a member of the Assembly or his remand in custody pending trial shall be notified forthwith to the Assembly or, if it is not in session, to the administrative section of the Assembly, which in turn shall inform the members. The Assembly may decide that such proceedings or such remand in custody shall be suspended for the duration of the sessions. The decision shall be submitted to the Resident for approval.

ARTICLE 4. A member of the Assembly may not at the same time be:

- A Minister or a Secretary of State;
- A member of the judiciary;
- A member of the armed forces or the police of Ruanda-Urundi;
- An official of the Trusteeship services;
- An official of the State administration.

A member of the Legislative Assembly who is appointed Minister or Secretary of State shall be replaced by an alternate for the duration of his term of office.

ARTICLE 5. The President and the Vice-President shall be elected by the Assembly from among its members. In the direction of the discussions they may be assisted by a person selected by the President and approved by the Resident.

ARTICLE 6. If the Head of State is absent or unable to carry out his duties, the Assembly shall designate a person to exercise his functions. Until such a person has been designated, the said functions shall be exercised by the President of the Assembly. During this period, the Assembly shall be presided over by the Vice-President.

ARTICLE 7. The Resident-General shall establish the organic regulations of the Assembly.

ARTICLE 8. The Assembly shall establish its rules of procedure.

The said rules of procedure shall be approved by the Resident.

ARTICLE 9. The Resident-General and the Resident, or their deputies, and the members of the Government may attend the discussions.

They shall be heard whenever they signify their desire to speak.

ARTICLE 10. The Assembly may require the attendance of members of the Government.

It may invite persons designated by it to attend meetings in an advisory capacity.

ARTICLE 11. The Assembly may propose to the administering Power changes in the State institutions.

##### Section 2. *The legislative power of the State*

ARTICLE 12. Subject to the provisions of laws and decrees, the legislative power of the State shall be competent in matters which are the exclusive concern of the State.

ARTICLE 13. The legislative power shall be exercised jointly by the Head of State and the Assembly by means of edicts.

ARTICLE 14. Any provisions of edicts inconsistent with the laws and decrees shall be deemed to be invalid.

ARTICLE 15. Both branches of the legislative power may initiate edicts.

ARTICLE 16. Edicts shall be approved and promulgated by the Head of State.

ARTICLE 17. The Resident shall be informed of every draft edict as soon as it is tabled in the Assembly.

He may at all times make such observations as he deems fit.

ARTICLE 18. The draft edicts adopted by the Assembly shall be communicated to the Resident before promulgation.

The Resident may, within eight days, request the Assembly to give an edict a second reading.

He may extend this period by not more than fifteen days.

If the Assembly amends the text of a draft edict, the Resident may request a second reading within the aforementioned periods.

ARTICLE 19. A request by the Resident for a second reading shall be deemed to constitute an objection to the draft edict.

ARTICLE 20. No edict may be promulgated until the Resident's objection, if any, has been withdrawn, either by himself or by the Resident-General at the request of the Government or of the Assembly.

ARTICLE 21. No edict dealing with budgetary, financial or fiscal matters may be promulgated without the express approval of the Resident.

The edict must contain a reference to this approval.

ARTICLE 22. An offence against an edict shall be punishable by penal servitude for a term not exceeding five years and a fine not exceeding 10,000 francs.

### Section 3. *The executive power of the State*

ARTICLE 23. Subject to the provisions of royal orders and general administrative ordinances, the executive power of the State shall be exercised by the Head of State.

He shall act by means of orders.

No action taken by him shall be valid unless counter-signed by a Minister.

In no circumstances shall an order by the Head of State relieve a Minister from his responsibilities.

ARTICLE 24. An offence against an order of the Head of State shall be punishable by penal servitude for a term not exceeding two months and a fine not exceeding 2,000 francs.

ARTICLE 25. Draft orders shall be communicated to the Resident before being submitted to the Head of State for signature.

The Resident may, within eight days, request the Government to reconsider a draft order.

He may extend this period by not more than fifteen days.

If the Government amends the text of a draft order, the Resident may, within the aforementioned periods, ask that it be reconsidered.

ARTICLE 26. A request by the Resident for the reconsideration of a draft order shall be deemed to constitute an objection thereto.

ARTICLE 27. No order may be made until the Resident's objection, if any, has been withdrawn, either by himself or by the Resident-General at the request of the Government.

ARTICLE 28. In a case of urgency, the procedure set out in articles 25 to 27 may be waived.

An order made in a case of urgency shall state the reasons why it was made.

Such order shall be communicated to the Resident forthwith and shall enter into force on the date when so communicated. The Resident may, within eight days, request the Government to reconsider the order. Except where otherwise provided by the Resident, a request for the reconsideration of an order shall entail the suspension thereof. The suspension may be lifted, either by the Resident or by the Resident-General at the request of the Government.

### Section 4. *The State Government*

ARTICLE 29. The Government of the State shall consist of a Prime Minister and of Ministers who may be assisted by Secretaries of State.

A Secretary of State shall replace a Minister who is absent or unable to carry out his duties.

ARTICLE 30. The Head of State shall appoint and dismiss the Prime Minister, with the consent of the Resident.

He shall appoint and dismiss the Ministers and the Secretaries of State after consultation with the Prime Minister and subject to the consent of the Resident.

ARTICLE 31. Before taking office, the Ministers and the Secretaries of State shall take an oath, administered by the Head of State, to carry out their duties faithfully and to respect the laws of the district and the State.

ARTICLE 32. After it has been constituted, the Government shall present itself to the Assembly for a vote of confidence.

A vote of confidence shall require an absolute majority of the votes of the entire membership of the Assembly.

ARTICLE 33. The responsibility of the Government, a Minister or a Secretary of State shall be called in question by the tabling of a motion of censure.

Such a motion shall not be in order unless it has been signed by not less than one-fifth of the members of the Assembly.

The motion may not be voted upon until eight days after it has been tabled; to be carried it shall require an absolute majority of the votes of all the members of the Assembly.

ARTICLE 34. If a motion of censure is carried, the Government, the Minister or the Secretary of State, as the case may be, shall tender its or his resignation to the Head of State.

ARTICLE 35. In the event of the resignation or dismissal of the Government and until a new Government has been formed, the day-to-day business shall be conducted by the heads of departments.

ARTICLE 36. Important questions, particularly those relating to the Government's general policies, and important questions within the competence of several Ministers shall be submitted to the Ministers in Council.

### Section 5. *State finances*

ARTICLE 37. The State budget shall be fixed annually by edict, at the proposal of the Government.

ARTICLE 38. The Assembly may amend the budget estimates, subject to the following restrictions:

No provision may be made for an increase in expenditure unless there is provision for a corresponding increase in revenue or decrease in expenditure;

No provision may be made for a decrease in revenue unless there is provision for a corresponding decrease in expenditure or increase in revenue.

The amendments may be grouped together for this purpose.

## CHAPTER II

### *The electorate, eligibility and elections*

#### Section 1. *The electorate*

ARTICLE 39. A person may vote for members of the Assembly if, at the time when the electoral registers are closed, he has had his habitual place of residence in the commune for one month, is not less than eighteen years of age, and is either:

A national of Rwanda;

A national of Burundi or a Belgian citizen, able to furnish proof of two years' residence in the State;

A Congolese able to furnish proof of ten years' residence in Ruanda-Urundi, including two years' residence in the State; or

An alien able to furnish proof of ten years' residence in the State.

ARTICLE 40. The requirement of one month's residence specified in the preceding article shall be reduced to fifteen

days in the case of persons returning to the commune in which they had been registered for the communal elections.

ARTICLE 41. Notwithstanding any provision to the contrary, the Resident-General may restrict the vote to the male electorate.

ARTICLE 42. Members of the armed forces or the police of Ruanda-Urundi who are on active service shall not participate in the elections.

ARTICLE 43. The right to vote shall be suspended in the case of:

1. A prisoner;
2. A person confined to an institution or hospital by reason of insanity;
3. A person living under a system of prescribed residence.

#### Section 2. *Eligibility*

ARTICLE 44. A person shall be eligible for election if, at the time when the electoral registers are closed, he has his habitual place of residence in the State, is not less than twenty-one years of age, and is either:

A national of Rwanda;

A national of Burundi or a Belgian citizen, able to furnish proof of two years' residence in the State;

A Congolese able to furnish proof of ten years' residence in the State; or

An alien able to furnish proof of ten years' residence in the State.

ARTICLE 45. The following shall not, however, be eligible:

1. A person who has been sentenced to penal servitude for a term of:

(a) Not less than two nor more than six months within the past two years;

(b) Not less than six months nor more than one year within the past five years;

(c) Not less than one year nor more than five years within the past ten years;

(d) Not less than five years within the past twenty years.

These periods shall be calculated from the final date set for the nomination of candidates;

2. A person confined to an institution or hospital by reason of insanity;

3. A person who has been declared bankrupt; the disability shall cease as soon as the bankrupt has been discharged or, in any case, ten years after the bankruptcy has been pronounced;

4. A person living under a system of prescribed residence;

5. A prisoner.

ARTICLE 46. The persons referred to in article 42 shall not be eligible.

#### Section 3. *Candidatures and allocation of seats*

ARTICLE 47. The territorial district shall constitute the electoral district.

ARTICLE 48. The names of candidates shall be submitted on lists, which may or may not be sponsored by parties or associations.

There need be no more than one name on a list.

The number of names on a list may not exceed twice the number of seats to be filled.

ARTICLE 49. A candidature shall be null and void if the candidate:

Fails to signify acceptance;

Is not eligible;

Is entered on more than one list;

Has been presented in more than one electoral district.

ARTICLE 50. Voting shall be for lists of candidates, with proportional representation.

ARTICLE 51. In each electoral district the number of seats to be allocated to each list shall be established in the following manner:

First operation: determination of the electoral divisor for the district by the following method:

Division of the total number of valid votes cast in the district, excluding blank ballots, by the number of the seats to be allocated. The quotient shall be rounded off to the next higher integer.

Second operation: allocation to each list of a number of seats equal to the number of times the electoral divisor will go into the total number of valid votes cast for the list.

Third operation: determination of the number of seats remaining for allocation by subtracting the number of seats allocated in the second operation from the total number of seats for the district.

Fourth operation: classification of the lists in the descending order of the votes for which no seats were allocated in the second operation.

Fifth operation: allocation of the remaining seats at the rate of one per list, in the order of classification resulting from the fourth operation.

ARTICLE 52. If, during the second operation set out in article 51, it proves impossible, for lack of a sufficient number of candidates, to allocate to a given list all the seats to which it is entitled, the distribution of seats shall be begun afresh among the remaining lists in accordance with the operations described in that article. In the first operation, a new electoral divisor shall be determined, leaving out of account the votes cast for the list with too few candidates and the seats allocated to all the candidates on that list.

If the situation described in the preceding paragraph arises in the fifth operation, the allocation of the remaining seats shall likewise be made in accordance with the procedure set out in article 51. In that case, however, the electoral divisor shall be determined solely on the basis of the votes taken into account in the fourth operation, exclusive of those cast for the list which has no more candidates.

If all the lists but one have obtained as many seats as there are candidates, the remaining seats shall be allocated to the list which still has non-elected candidates.

ARTICLE 53. Whenever two or more lists are equally entitled to the last seat, the number of votes cast for the candidates whose election is being decided shall be taken into account, and the candidate with the largest number of votes shall be declared elected. In the event of a tie, the eldest candidate shall be declared elected.

When it is not possible to determine with certainty which candidate is the eldest, lots shall be drawn.

ARTICLE 54. The allocation of seats among the candidates on each list shall be effected in the following manner:

1. Calculation of the number of votes obtained by the candidates;

2. Listing of the candidates, for each list, in the order of the number of votes obtained, or in the case of a tie or a lack of votes, in the order in which the candidatures were filed;

3. Allocation, in the aforementioned order, of the seats allotted to the list.

#### Section 4. *Elections*

ARTICLE 55. The Resident-General shall determine:

The procedures for verifying the qualifications of voters and candidates and the grounds for disqualification, and procedures for the application of the relevant provisions;

The procedures for the presentation of candidates, the entering of names on electoral registers and the keeping of such registers;

The procedures for organizing and conducting the elections.

Appeals from the results of an election and penalties for electoral offences shall, however, be governed by the following provisions:

##### *A. Appeals*

ARTICLE 56. An appeal from the results of an election must, under penalty of disqualification, be lodged within the six days following the announcement of the results.

The appeal shall be sent by registered post to the chairman of the board referred to in article 57.

The appeal shall in every case indicate the identity and the place of residence of the appellant.

ARTICLE 57. An appeal shall, within fifteen days of receipt, be examined by a board consisting of:

A judge, who shall be the chairman, appointed by the president of the court of first instance;

An assessor appointed by the Resident-General;

An assessor appointed by the provisional Government of Rwanda.

The board shall reach its decisions by majority vote.

It may reject or allow an appeal. If it allows an appeal on grounds of an error of fact, it shall rectify the erroneous result. In all other cases it shall annul the election in whole or in part if the irregularities in question could have materially affected the result of the voting.

ARTICLE 58. If the election is annulled, the chairman of the board shall forthwith so inform the Resident-General by registered post.

The Resident-General or his deputy shall fix the date of the new elections. These shall be held not later than thirty days after the board's decision. No new candidates may be presented.

#### B. Penalties

ARTICLE 59. A person who, directly or indirectly, gives, offers or promises money, valuables, property or any other benefit, or any assistance or employment, in return for a vote or an abstention from voting, or makes such gift, offer or promise contingent on the results of the election, shall be liable to penal servitude for a term not exceeding one month or to a fine not exceeding 500 francs, or to both such penalties.

Any person who accepts any such offer or promise shall be liable to the same penalties.

ARTICLE 60. Any person who, in order to compel a voter to abstain from voting or to influence his vote, resorts to assault and battery, violence or threats, or makes him fear loss of employment, injury to his person or family or damage to his property, shall be liable to penal servitude for a term not exceeding six months or to a fine not exceeding 2,000 francs, or to both such penalties.

ARTICLE 61. Any person who, by speeches made at meetings or in public places, by displaying posters, by the sale or distribution of printed or unprinted matter, by the use of drawings or emblems or by any other means, incites the people to abstain from voting or to cast invalid ballots, shall be liable to the penalties prescribed in the preceding article.

ARTICLE 62. Any person who knowingly provides funds for the commission of any one of the offences specified in the three preceding articles, or orders any offer, promise, threat, assault and battery or incitement as therein referred to to be carried out on his behalf, shall be liable to the same penalties as the offender.

ARTICLE 63. If in the cases provided for in the four preceding articles the offender is a civil servant, the maximum penalty shall be imposed, and the term of imprisonment and amount of the fine may be doubled.

ARTICLE 64. Any person who employs, gathers together or stations individuals, even unarmed, in a manner likely to intimidate the voters or disturb the peace, shall be liable to penal servitude for a term not exceeding six months or to a fine not exceeding 2,000 francs, or to both such penalties.

Any person who knowingly becomes a member of such bands or groups shall be liable to penal servitude for a term not exceeding two months or to a fine not exceeding 500 francs, or to both such penalties.

ARTICLE 65. Persons who, by unlawful assembly, violence or threats, prevent one or more voters from exercising their political rights shall be liable to penal servitude for a term not exceeding one year or to a fine not exceeding 2,000 francs, or both such penalties.

ARTICLE 66. Any person who through the use of violence disturbs or attempts to disturb the proceedings of an electoral board with a view to hindering the election operations shall be liable to penal servitude for a term not exceeding two years or to a fine not exceeding 3,000 francs, or to both such penalties.

If the ballots have been tampered with, the maximum penalty as aforesaid shall be imposed, and the length of the term and amount of the fine may be doubled.

ARTICLE 67. Any member of an electoral board who, while the board is in session, resorts to insults or violence towards one or more of the electoral officers, or who by assault and battery or threats delays or prevents the election operations, shall be liable to penal servitude for a term not exceeding one year or to a fine not exceeding 2,000 francs, or to both such penalties.

If the ballots have been tampered with, the maximum penalty as aforesaid shall be imposed, and the length of the term and amount of the fine may be doubled.

ARTICLE 68. Any person who affixes the signature or fingerprint of another person or of a fictitious person to any document whereby a person is put up for election or agrees to be a candidate shall be liable to the penalties prescribed for forgery.

ARTICLE 69. Any person who, with a view to having his name entered on an electoral register, knowingly makes false statements or produces documents which he knows to have been falsified shall be liable to a fine not exceeding 200 francs.

Any person who knowingly commits the aforementioned acts for the purpose of causing another person's name to be entered on or removed from an electoral register shall be liable to the same penalty.

ARTICLE 70. Any person responsible in any capacity whatsoever for the preparation or compilation of electoral registers who, in the performance of such duties and with a view to removing a voter's name from such a register or to securing the franchise for a person, knowingly uses papers or documents which have been falsified by alteration, mutilation or addition or have been counterfeited, or who, for the same purpose, wilfully makes inaccurate entries in the electoral registers through the alteration, addition or omission of data provided in such papers or documents as may be used in the compilation of the said registers, shall be liable to penal servitude for a term not exceeding two months or to a fine not exceeding 500 francs, or to both such penalties.

ARTICLE 71. The counterfeiting of ballot papers shall be subject to the penalties prescribed for the forgery of public documents.

ARTICLE 72. Any chairman or assessor of an electoral board who betrays the secrecy of the vote shall be liable to penal servitude for a term not exceeding two months or to a fine not exceeding 2,000 francs, or to both such penalties.

ARTICLE 73. Any person who votes or presents himself for the purpose of voting in the name of another voter shall be liable to penal servitude for a term not exceeding two months or to a fine not exceeding 500 francs, or to both such penalties.

Any person who, in any manner whatsoever, abstracts one or more official ballot papers shall be liable to the same penalties.

#### Section 5. Substitution

ARTICLE 74. The appointment of alternates to replace members of the Assembly shall be carried out in the following manner:

The non-returned candidates on each list shall be called upon, in the order specified in article 54, to replace the members on their list who were elected but who have been suspended from office or whose seats have fallen vacant. In the absence of an alternate on a given list, the operations provided for in article 52, second paragraph, shall be carried out with a view to determining which list will provide the alternate who will be called upon to take the seat.

ARTICLE 75. An alternate who is called upon to sit shall serve the unexpired term of the regular member whom he replaces.

Section 6. *Reasons for the withdrawal or suspension of a mandate*

ARTICLE 76. The mandate of a member or alternate member of the Assembly shall terminate in the event of:

1. Resignation;
2. Appointment to one of the offices specified in article 4;
3. Loss of the qualifications specified in article 44;
4. Imposition of a penalty enumerated in article 45, item 1;
5. Death.

ARTICLE 77. A member's mandate shall merely be suspended in the event of:

1. His appointment as Minister or Secretary of State;
2. His recall to the colours;
3. Loss of qualifications for eligibility under article 45, items 2 to 5.

CHAPTER III

*General provisions*

ARTICLE 78. The salaries and allowances of members of the Government shall be determined by edict.

ARTICLE 79. The President and the members of the Assembly shall receive the emoluments specified in the organic regulations.

ARTICLE 80. Chapter I of this Legislative Order, with the exception of section 5 thereof, shall enter into force on the date on which the final results of the legislative elections are published.

Chapter I, section 5, shall enter into force on the date specified by the Resident-General.

Chapter II shall enter into force on the date of signature.

*Table showing number of members to be elected*

Kigali . . . . .	5
Nyanza . . . . .	4
Gitarama . . . . .	4
Astrida . . . . .	8
Shangugu . . . . .	3
Kibuye . . . . .	3
Kisenyi . . . . .	4
Ruhengeri . . . . .	5
Biumba . . . . .	4
Kibungu . . . . .	4
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	44
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ANNEX XXXI

**Ordinance No. 02/17 of 15 January 1961 concerning the legislative elections in Rwanda**

Section I: *General*

ARTICLE 1. The legislative elections in the State of Rwanda shall begin on a date to be determined by the Resident-General.

The Resident shall fix the date on which they shall be held in each district.

Section II: *The electorate and registration on the roll*

ARTICLE 2. Only male voters shall be admitted to the polls.

ARTICLE 3. Persons who satisfy the conditions laid down for the franchise shall be registered on the roll of the commune in which they have their main residence, i.e. that declared at the last census or on registration in the population register.

ARTICLE 4. A roll of voters in a form prescribed by the Resident shall be kept at each polling station.

ARTICLE 5. Every applicant for registration on the roll must furnish proof that he satisfies the conditions laid down for the franchise.

ARTICLE 6. In case of doubt that the voter has reached the age of eighteen years, his receipt for, or certificate of exemption from, poll-tax for the financial year 1960 shall be accepted as proof in the absence of other evidence.

ARTICLE 7. For the purpose of determining residence qualifications within the Territory or the district, absences of less than one year have a suspensory and absences of more than one year have an interruptory effect.

ARTICLE 8. Registration on the roll shall confer the franchise.

ARTICLE 9. The roll of voters shall be closed ten days before the date fixed for the beginning of the elections in the district.

A copy of the roll shall be deposited or posted in the commune on that date.

It shall remain there until the date fixed for the elections in the constituency and may be consulted there by any interested person.

ARTICLE 10. A record of closure of the roll shall be drawn up by the burgomaster. A copy of the record shall be sent to the district administrator.

Section III: *Nominations*

ARTICLE 11. Nominations shall be received by the district administrator or his representative not later than ten days before the beginning of the elections in the district.

ARTICLE 12. The deposit of each list of candidates shall be entered in a record drawn up by the district administrator or his representative.

Within five days after each record is drawn up, a copy thereof shall be deposited at the place prescribed in article 11 and may be consulted there by any interested person.

A copy shall be given to each candidate as a receipt.

A copy shall be posted at the district office.

ARTICLE 13. Any list bearing the names of more than double the number of candidates for the number of seats to be filled shall be null and void.

Section IV: *Appeals against the roll or nominations*

ARTICLE 14. Any person may appeal to the administrator of the district to which the commune belongs, not later than eight days before the elections in the district, against registration or non-registration on the roll or against a nomination.

ARTICLE 15. The district administrator shall rule on every appeal not later than five days before the elections in the district.

A copy of his ruling shall be sent to the burgomaster, to the appellant and to the person concerned.

ARTICLE 16. The rulings of the district administrator concerning registration or non-registration on the roll of voters shall be entered on the roll by the burgomaster within two days of the date on which they are made.

ARTICLE 17. The final list of candidates for the constituency shall be drawn up by the district administrator.

The list shall be posted at the communal office and at the provincial office.

Section V: *Organization of polling stations*

ARTICLE 18. The district administrator shall determine the number and jurisdiction of polling stations in his district.

He shall fix the date on which the elections shall be held at each station.

ARTICLE 19. Each polling station shall be provided with not less than ten polling-booths, and with a ballot-box of a type which shall be uniform throughout the State and which shall be determined by the Resident.

ARTICLE 20. Before the polling station opens, the chairman of the polling committee shall seal the ballot-box with wax and a seal in the presence of the polling officers and the representatives of the lists of candidates.

The chairman shall ensure that the seal remains unbroken throughout the electoral operations.

Section VI: *Composition of the polling committees*

ARTICLE 21. Each polling committee shall consist of a chairman and four polling officers appointed by the district administrator.

ARTICLE 22. The chairman of the committee shall be chosen from among the personnel who belong to the administration or who have been placed at the latter's disposal for the duration of the elections.

The polling officers shall be chosen from among the inhabitants of the constituency.

ARTICLE 23. The chairman shall be responsible for the conduct of all electoral operations and for the maintenance of law and order in the polling station.

He shall take all necessary steps to preserve order and the freedom of the ballot.

He may apportion among his polling officers the tasks conferred on him by this Ordinance.

ARTICLE 24. In his absence from the polling station, the chairman shall be replaced by such polling officer as he may appoint.

ARTICLE 25. If one or more polling officers are missing at the time fixed for the opening of the ballot or when voting is in progress, the chairman shall replace them *ex officio* with persons resident within the jurisdiction of the polling station.

ARTICLE 26. Before taking office, the chairman and the polling officers shall take the following oath: "I swear to ensure the proper conduct of the electoral operations and to preserve the secrecy of the ballot."

ARTICLE 27. The oath shall be taken, in the usual language of the person concerned, by the polling officers before the chairman, and by the chairman before the assembled committee.

ARTICLE 28. The chairman and polling officers shall be entitled to attendance vouchers at the rate of sixty francs a day for the chairman and thirty francs a day for each polling officer.

The said vouchers shall be honoured in cash by the district administrator or his representative at the close of the electoral operations in the constituency.

#### Section VII: *Representatives of the lists*

ARTICLE 29. One representative of each valid list of candidates may attend all the electoral operations.

ARTICLE 30. The representatives of the lists may address observations only to the chairman of the committee. The said observations shall be entered in the record of the election.

#### Section VIII: *The election proper*

ARTICLE 31. The polling station shall be open to voters from 8 a.m. to 4 p.m. However, the chairman may decide that the station shall open earlier or close later. His decision, accompanied by a statement of reasons, shall be entered in the record of the election.

ARTICLE 32. On entering the polling station each voter shall lay on the table his identity document. The chairman of the committee, having verified that the person in question has the franchise, shall tick off his name on the roll and hand him a ballot-paper, in the form prescribed by the Resident, on which he has entered the name of the constituency and his own initials.

ARTICLE 33. Each voter shall then proceed directly to a polling-booth. An invalid or illiterate voter may be assisted by a person of his choice.

ARTICLE 34. Each voter may cast a maximum of three votes. He shall write on the ballot-paper the name, as it appears on the lists, of each candidate of his choice.

ARTICLE 35. After folding his ballot-paper in two, with the names on the inside, the voter shall place it in the ballot-box in front of the chairman.

ARTICLE 36. Before leaving, each voter shall withdraw his identity document, to which a stamp in a form prescribed by the Resident has meanwhile been affixed. The stamping of the document shall be recorded on the roll.

#### Section IX: *Closure of the ballot*

ARTICLE 37. At the hour fixed in accordance with article 31, the chairman of the committee shall declare the ballot closed. In the presence of the polling officers and the representatives

of the lists of candidates, he shall stop the slit in the ballot-box and seal it with wax and a seal.

ARTICLE 38. He shall count the unused ballot-papers and place them in a sealed envelope bearing a note of its contents.

ARTICLE 39. He shall then draw up, with his polling officers, the record of the election.

ARTICLE 40. He shall transmit to the district administrator the ballot-box, the envelope containing unused ballot-papers, and the record of the election.

#### Section X: *The count*

ARTICLE 41. When the electoral operations throughout the district are completed, the district administrator shall proceed to count the votes. He shall be assisted by the chairmen of the polling committees and by such persons as he may designate.

The votes shall be counted station by station in the presence of the representatives of the lists.

ARTICLE 42. After satisfying himself that the seals are intact, the district administrator or his representative shall open the ballot-box and withdraw and count the ballot-papers.

ARTICLE 43. He shall sort the same into valid, invalid and blank ballot-papers.

ARTICLE 44. *A.* The following ballot-papers shall be invalid:

1. Any ballot-paper other than those prescribed for use;
2. Any ballot-paper which is torn or which bears marks or entries other than those prescribed in articles 32 and 34.

*B.* The following ballot-papers shall be blank:

1. Any ballot-paper which bears no vote;
2. Any ballot-paper which bears only votes in favour of persons who are not candidates.

*C.* The remaining ballot-papers shall be valid.

ARTICLE 45. The district administrator or his representative shall write on each invalid ballot-paper the letter N, followed by the figure 1 or 2, as the case may be, to indicate the grounds for invalidity prescribed in paragraph *A* of the preceding article. He shall count the invalid ballot-papers and place them in an envelope bearing a note of its contents.

ARTICLE 46. He shall write on each blank ballot-paper the letter B, followed by the figure 1 or 2, as the case may be, in accordance with article 44, paragraph *B*. He shall count the blank ballot-papers and place them in a sealed envelope bearing a note of its contents.

ARTICLE 47. He shall strike out in ink, on the valid ballot-papers, votes cast in favour of non-candidates, and votes in excess of three.

ARTICLE 48. He shall count the valid ballot-papers.

ARTICLE 49. He shall calculate the number of votes cast by the voters at each station for the different candidates and for the different lists.

ARTICLE 50. He shall place the valid ballot-papers in a sealed envelope bearing a note of its contents.

#### Section XI: *Distribution of seats*

ARTICLE 51. By adding together the results from the different stations, the district administrator shall determine, for the constituency as a whole:

- (a) The total number of invalid ballot-papers, blank ballot-papers and valid ballot-papers;
- (b) The total number of votes obtained by each candidate;
- (c) The total number of votes obtained by each list;
- (d) The total number of votes obtained by all lists and, on the basis of this, the electoral divisor.

ARTICLE 52. He shall assign the seats in accordance with articles 51 to 54 of Legislative Order No. 02/16 of 15 January 1961.

ARTICLE 53. He shall enter the results in the record of the count.

ARTICLE 54. He shall draw up the list of Council members elected in his district and of their alternates.

The names of the candidates elected shall be made known to the population forthwith, by proclamation and posting.

ARTICLE 55. The ballot-papers shall be kept at the district office for six months. On the expiry of this period they shall be destroyed by the district administrator, who shall draw up a record of this operation.

#### Section XII: *Entry into force*

ARTICLE 56. This Ordinance, which shall apply to the State of Rwanda, shall enter into force on 15 January 1961.

### ANNEX XXXII

#### **Legislative Order No. 02/18 of 15 January 1961 concerning the institutions of Burundi**

##### CHAPTER I

##### *The State*

##### Section 1. *The State Council*

ARTICLE 1. A State Council shall be established in Burundi.

ARTICLE 2. The Council shall consist of members elected in accordance with chapter II of this Legislative Order.

ARTICLE 3. The Council members shall be appointed for a term of three years.

No member of the Council shall be liable to prosecution for the opinions expressed or the votes cast by him in the exercise of his functions.

Any proceedings against a Council member or his remand in custody pending trial shall be notified forthwith to the Council, or if it is not in session, to the administrative section of the Council, which in turn shall inform the members.

The Council may decide that such proceedings or such remand in custody shall be suspended for the duration of the sessions. The decision shall be submitted to the Resident for approval.

ARTICLE 4. A member of the Council may not at the same time be:

A Minister;

A member of the judiciary or a judge of the customary courts;

A member of the armed forces or the police of Ruanda-Urundi;

An official of the Trusteeship services;

An official of the State administration.

A member of the Council who is appointed Minister shall be replaced by an alternate for the duration of his term of office.

ARTICLE 5. The President and Vice-President shall be elected by the Council from among its members.

In the direction of the discussions they may be assisted by an official appointed by the Resident on the proposal of the President of the Council.

ARTICLE 6. If the Mwami is absent or unable to carry out his duties, the President of the Council shall exercise the Mwami's functions. During such period the Vice-President shall preside over the Council.

ARTICLE 7. The Resident-General shall establish the organic regulations of the Council.

ARTICLE 8. The Council shall establish its rules of procedure, which shall be approved by the Resident.

ARTICLE 9. The Resident-General and the Resident, or their deputies, and members of the Government, may attend the discussions.

They shall be heard whenever they signify their desire to speak.

ARTICLE 10. The Council may require the attendance of members of the Government.

It may invite persons designated by it to attend its meetings.

ARTICLE 11. The Council may propose to the administering Power changes in the State institutions.

##### Section 2. *The legislative power of the State*

ARTICLE 12. Subject to the provisions of laws and decrees, the legislative power of the State shall be competent in matters which are the exclusive concern of the State.

ARTICLE 13. The legislative power shall be exercised jointly by the Mwami and the Council by means of edicts.

ARTICLE 14. Any provisions of edicts inconsistent with the laws and decrees shall be deemed to be invalid.

ARTICLE 15. Both branches of the legislative power may initiate edicts.

ARTICLE 16. Edicts shall be approved and promulgated by the Mwami.

ARTICLE 17. The Resident shall be informed of every draft edict as soon as it is tabled in the Council.

He may at all times make such observations as he deems fit.

ARTICLE 18. The draft edicts adopted by the Council shall be communicated to the Resident before promulgation.

The Resident may, within eight days, request the Council to give an edict a second reading.

He may extend this period by not more than fifteen days.

If the Council amends the text of a draft edict, the Resident may request a second reading within the aforementioned periods.

ARTICLE 19. A request by the Resident for a second reading shall be deemed to constitute an objection to the draft edict.

ARTICLE 20. No edict may be promulgated until the Resident's objection, if any, has been withdrawn, either by himself or by the Resident-General at the request of the Government or the Council.

ARTICLE 21. No edict dealing with budgetary, financial and fiscal matters may be promulgated without the express approval of the Resident.

The edict must contain a reference to this approval.

ARTICLE 22. An offence against an edict shall be punishable by penal servitude for a term not exceeding five years and a fine not exceeding 10,000 francs.

##### Section 3. *The executive power of the State*

ARTICLE 23. Subject to the provisions of royal orders and general administrative ordinances, the executive power of the State shall be exercised by the Mwami.

He shall act by means of orders.

No action taken by him shall be valid unless countersigned by the Prime Minister and the Minister concerned.

In no circumstances shall an order by the Mwami relieve a Minister of his responsibilities.

ARTICLE 24. An offence against an order of the Mwami shall be punishable by penal servitude for a term not exceeding two months and a fine not exceeding 2,000 francs.

ARTICLE 25. Draft orders shall be communicated to the Resident before being submitted to the Mwami for signature.

The Resident may, within eight days, request the Government to reconsider a draft order.

He may extend this period by not more than fifteen days.

If the Government amends the text of a draft order, the Resident may, within the aforementioned periods, ask that it be reconsidered.

ARTICLE 26. A request by the Resident for reconsideration of a draft order shall be deemed to constitute an objection thereto.

ARTICLE 27. No order may be made until the Resident's objection, if any, has been withdrawn, either by himself or by the Resident-General at the request of the Government.

ARTICLE 28. In a case of urgency, the procedure set out in articles 25 to 27 may be waived.

An order made in an emergency shall state the reasons why it was made.

Such order shall be communicated to the Resident forthwith and shall enter into force on the date of such communication.

The Resident may, within eight days, request the Government to reconsider the order.

Except where otherwise provided by the Resident, a request for the reconsideration of an order shall entail suspension thereof. The suspension may be lifted, either by the Resident or by the Resident-General at the request of the Government.

#### Section 4. *The State Government*

ARTICLE 29. The Government of the State shall consist of a Prime Minister and Ministers.

If the Prime Minister is absent or unable to carry out his duties, he shall be replaced by a Minister designated by him in agreement with the Council of Ministers.

ARTICLE 30. The Council shall, to form a government, propose the name of a person for designation by the Mwami. Such designation by the Mwami shall be subject to the consent of the Resident.

ARTICLE 31. The person designated to form a government shall present his proposals to the Council for a vote of confidence. This shall require an absolute majority of the votes of all the members of the Council.

ARTICLE 32. The Mwami shall appoint and dismiss Ministers with the consent of the Resident.

Before taking office the Ministers shall take an oath, administered by the Mwami, to carry out their duties faithfully and to respect the laws of the district and of the State.

ARTICLE 33. The responsibility of the Government or of a Minister shall be called in question by the tabling of a motion of censure.

Such a motion shall not be in order unless it has been signed by not less than one-fifth of the members of the Council.

A vote on the motion may not be taken until eight days after it has been tabled; to be carried, it shall require an absolute majority of the votes of all the members of the Council.

ARTICLE 34. If a motion of censure is carried, the Government or the Minister shall tender its or his resignation.

ARTICLE 35. In the event of the resignation or dismissal of the Government and until a new Government has been formed, the day-to-day business shall be conducted by the heads of departments.

ARTICLE 36. Important questions, particularly those relating to the Government's policy, and important questions within the competence of several Ministers, shall be submitted to the Ministers in Council.

#### Section 5. *State finances*

ARTICLE 37. The State budget of the country shall be fixed annually by edict, at the proposal of the Government.

ARTICLE 38. The Council may amend the budget estimates, subject to the following restrictions:

No provision may be made for an increase in expenditure unless there is provision for a corresponding increase in revenue or decrease in expenditure.

No provision may be made for a decrease in revenue unless there is provision for a corresponding decrease in expenditure or increase in revenue.

The amendments may be grouped together for this purpose.

### CHAPTER II

#### *The electorate, eligibility and elections*

##### Section 1. *The electorate*

ARTICLE 39. A person may vote in the elections for members of the Council if, at the time when the electoral registers are closed, he had had his habitual residence in the commune for at least one month, is not less than eighteen years of age, and is a national of Burundi.

ARTICLE 40. Notwithstanding any provision to the contrary, the Resident-General may restrict the vote to the male electorate.

ARTICLE 41. Members of the armed forces of Ruandi-Urundi on active service, and members of the police force, shall not participate in the elections.

ARTICLE 42. The right to vote shall be suspended in the case of:

1. A prisoner;
2. A person confined to an institution or hospital by reason of insanity;
3. A person under a system of prescribed residence.

##### Section 2. *Eligibility*

ARTICLE 43. A person shall be eligible for election if, at the time when the electoral registers are closed:

He has his habitual residence in the State;

He is not less than twenty-one years of age;

He is a national of Burundi;

He has successfully completed two years of post-primary schooling or, failing this, has passed a test to show that he has attained an equivalent level of education. The conditions of this test shall be determined by the Resident-General.

ARTICLE 44. The following shall not, however, be eligible:

1. A person who has been sentenced to penal servitude for a term of:

(a) Not less than two nor more than six months within the past two years;

(b) Not less than six months nor more than one year within the past five years;

(c) Not less than one year nor more than five years within the past ten years;

(d) Not less than five years during the past twenty years.

These periods shall be calculated from the final date set for the nomination of candidates.

2. A person confined to an institution or hospital by reason of insanity;

3. A person who has been declared bankrupt; the disability shall cease as soon as the bankrupt has been discharged or, in any case, ten years after the bankruptcy has been pronounced;

4. A person living under a system of prescribed residence;

5. A prisoner.

ARTICLE 45. The persons referred to in article 41 shall not be eligible.

##### Section 3. *Candidatures and allocation of seats*

ARTICLE 46. The electoral district shall consist of one or more adjacent communes. These shall be grouped in such a way that the number of voters is not lower or higher than 8,000 by more than one third.

ARTICLE 47. The electoral districts shall be determined by the Resident-General.

ARTICLE 48. The names of candidates shall be submitted on lists, which may or may not be sponsored by parties or associations. There need be no more than one candidate on a list. The number of names on a list may not be more than ten.

ARTICLE 49. A candidature shall be null and void if the candidate:

Fails to signify acceptance;

Is not eligible for election;

Is entered on more than one list;

Has been presented in more than one electoral district.

ARTICLE 50. In each electoral district the seat shall be assigned to the list which obtains the highest number of votes.

ARTICLE 51. Whenever two or more lists are equally entitled to the seat, the number of votes cast for the candidates whose election is being decided shall be taken into account, and the candidate with the largest number of votes shall be declared elected. In the event of a tie, the oldest candidate shall be declared elected. When it is not possible to determine with certainty who is the oldest candidate, lots shall be drawn.

ARTICLE 52. The seat allotted to a list shall go to the candidate on the list who has obtained the highest number of votes. In the case of a tie, the seat shall be allocated to the candidate whose candidature was filed first.

Section 4. *Elections*

ARTICLE 53. The Resident-General shall determine:

The procedures for verifying the qualifications of voters and candidates and the grounds for disqualification, and procedures for the application of the relevant provisions;

The procedures for the presentation of candidates, the entering of names on electoral registers and the keeping of such registers;

The technical procedures for organizing and conducting the elections.

Appeals from the results of an election and penalties for electoral offences shall, however, be governed by the following provisions:

A. *Appeals*

ARTICLE 54. An appeal from the results of an election must, under penalty of disqualification, be lodged within the six days following the announcement of the results.

The appeal shall be sent by registered post to the chairman of the board referred to in the following article.

The appeal shall in every case indicate the identity and the place of residence of the appellant.

ARTICLE 55. An appeal shall be examined within fifteen days of receipt by a board consisting of:

A judge, who shall be the chairman, appointed by the president of the court of first instance;

An assessor appointed by the Resident-General;

An assessor appointed by the Interim Committee of Burundi and the Board of Commissioners meeting in joint session.

The board shall reach its decisions by majority vote.

It may reject or allow an appeal. If it allows an appeal on grounds of an error of fact, it shall rectify the erroneous result. In all other cases it shall annul the election in whole or in part if the irregularities in question could have materially affected the result of the voting.

ARTICLE 56. If the election is annulled, the chairman of the board shall forthwith so inform the Resident-General by registered post.

The Resident-General or his deputy shall fix the date of the new elections. These shall be held not later than thirty days after the board's decision. No new candidate may be presented.

B. *Penalties*

ARTICLE 57. A person who directly or indirectly gives, offers or promises money, valuables, property or any other benefit, or any assistance or employment, in return for a vote or abstention from voting, or makes such gift, offer or promise contingent on the results of the election, shall be liable to penal servitude for a term not exceeding one month or to a fine not exceeding 500 francs, or to both penalties.

Any person who accepts any such offer or promise shall be liable to the same penalties.

ARTICLE 58. Any person who, in order to compel a voter to abstain from voting or to influence his vote, resorts to assault and battery, violence or threats, or makes him fear loss of employment, injury to his person or family or damage to his property, shall be liable to penal servitude for a term not exceeding six months or to a fine not exceeding 2,000 francs, or to both these penalties.

ARTICLE 59. Any person who, by speeches made at meetings or in public places, by displaying posters, by the sale or distribution of printed or unprinted matter, by the use of drawings or emblems or by any other means, incites the people to abstain from voting or to cast invalid ballots, shall be liable to the penalties prescribed in the preceding article.

ARTICLE 60. Any person who knowingly provides funds for the commission of any one of the offences specified in the three preceding articles, or orders any offer, promise, threat, assault and battery or incitement, as therein referred, to be carried out on his behalf, shall be punished as the offender.

ARTICLE 61. If in the cases provided for in the four preceding articles the offender is a civil servant, the maximum penalty

shall be imposed, and the term of imprisonment and amount of the fine may be doubled.

ARTICLE 62. Any person who employs, gathers together or stations individuals, even unarmed, in a manner likely to intimidate the voters or disturb the peace, shall be liable to penal servitude for a term not exceeding six months or to a fine not exceeding 2,000 francs, or to both these penalties.

Any person who knowingly becomes a member of such bands or groups shall be liable to penal servitude for a term not exceeding two months or to a fine not exceeding 500 francs, or to both such penalties.

ARTICLE 63. Persons who, by unlawful assembly, violence or threats, prevent one or more voters from exercising their political rights shall be liable to penal servitude for a term not exceeding one year or to a fine not exceeding 2,000 francs, or to both these penalties.

ARTICLE 64. Any person who through the use of violence disturbs or attempts to disturb the proceedings of an electoral board with a view to hindering the election operations shall be liable to penal servitude for a term not exceeding two years or to a fine not exceeding 3,000 francs, or to both these penalties.

If the ballots have been tampered with, the maximum penalty as aforesaid shall be imposed, and the length of the term and amount of the fine may be doubled.

ARTICLE 65. Any members of an electoral board who, while the board is in session, resorts to insults or violence towards one or more of the electoral officers, or who by assault and battery or threats delays or prevents the election operations, shall be liable to penal servitude for a term not exceeding one year or to a fine not exceeding 2,000 francs, or to both these penalties.

If the ballots have been tampered with, the maximum penalty as aforesaid shall be imposed, and the length of the term and amount of the fine may be doubled.

ARTICLE 66. Any person who affixes the signature or fingerprint of another person or of a fictitious person to any document whereby a person is put up for election or agrees to be a candidate shall be liable to the penalties prescribed for forgery.

ARTICLE 67. Any person who, with a view to having his name entered on an electoral register, knowingly makes false statements or produces documents which he knows to have been falsified, shall be liable to a fine not exceeding 200 francs.

Any person who knowingly commits the aforementioned acts for the purpose of causing another person's name to be entered on or removed from an electoral register shall be liable to the same penalty.

ARTICLE 68. Any person responsible in any capacity whatsoever for the preparation or compilation of electoral registers who, in the performance of such duties and with a view to removing a voter's name from such a register or to securing the franchise for a person, knowingly uses papers or documents which have been falsified by alteration, mutilation or addition or have been counterfeited, or who, for the same purpose, wilfully makes inaccurate entries in the electoral registers through the alteration, addition or omission of data provided in such papers or documents as may be used in the compilation of the said registers, shall be liable to penal servitude for a term not exceeding two months or to a fine not exceeding 500 francs, or to both these penalties.

ARTICLE 69. The counterfeiting of ballot-papers shall be subject to the penalties prescribed for the forgery of public documents.

ARTICLE 70. Any chairman or assessor of an electoral board who betrays the secrecy of the ballot shall be liable to penal servitude for a term not exceeding two months or to a fine not exceeding 2,000 francs, or to both these penalties.

ARTICLE 71. Any person who votes or presents himself for the purpose of voting in the name of another voter shall be liable to penal servitude for a term not exceeding two months or to a fine not exceeding 500 francs, or to both these penalties.

Any person who, in any manner whatsoever, abstracts one or more official ballot-papers shall be liable to the same penalties.

#### Section 5. *Substitution*

ARTICLE 72. The appointment of alternates to replace members of the Council shall be carried out in the following manner: the candidates on each list shall be called upon, in the order of the number of votes obtained, to replace the members on their list who were elected but have been suspended from office, or whose seats have fallen vacant. In the event of a tie, the seat shall be allocated to the candidate whose candidature was filed first.

In the absence of an alternate on a given list, the seat shall be assigned to a candidate from another list, in accordance with articles 51 and 52.

ARTICLE 73. An alternate who is called upon to sit shall serve the unexpired term of the regular member whom he replaces.

#### Section 6. *Reasons for the withdrawal or suspension of a mandate*

ARTICLE 74. The mandate of a member or alternate member of the Council shall terminate in the event of:

1. Resignation;
2. Appointment to one of the offices specified in article 4;
3. Loss of the qualifications specified in article 43;
4. Imposition of one of the penalties enumerated in article 44, item 1;
5. Death.

ARTICLE 75. A member's mandate shall merely be suspended in the event of:

1. His appointment as Minister;
2. His call to the colours;
3. Loss of qualifications under article 44, items 2 to 5.

ARTICLE 76. Termination or suspension of the mandate is declared by the Resident.

### CHAPTER III

#### *General provisions*

ARTICLE 77. The salaries and allowances of members of the Government shall be determined by edict.

ARTICLE 78. The President and the members of the Council shall receive the emoluments specified in the organic regulations.

ARTICLE 79. Chapter I of this Legislative Order, with the exception of section 5 thereof, shall enter into force on the date of publication of the final results of the legislative elections.

Chapter I, section 5, shall enter into force on the date specified by the Resident-General.

Chapter II shall enter into force on the date of signature.

### ANNEX XXXIII

#### **Ordinance No. 02/19 of 15 January 1961 concerning the legislative elections in Burundi**

##### Section I: *General*

ARTICLE 1. The legislative elections in the State of Burundi shall begin on a date to be determined by the Resident-General.

The Resident shall fix the date on which they shall be held in each district.

##### Section II: *The electorate and registration on the roll*

ARTICLE 2. Only male voters shall be admitted to the polls.

ARTICLE 3. Persons who satisfy the conditions laid down for the franchise shall be registered on the roll of the provisional commune in which they have their main residence, i.e. that declared at the last census or on registration in the population register.

ARTICLE 4. A roll of voters in a form prescribed by the Resident shall be kept at each polling station.<sup>a</sup>

ARTICLE 5. Every applicant for registration on the roll must furnish proof that he satisfies the conditions laid down for the franchise.

ARTICLE 6. In case of doubt that a voter has reached the age of eighteen years, his receipt for, or certificate of exemption from, poll-tax for the financial year 1960 shall be accepted as proof in the absence of other evidence.

ARTICLE 7. Registration on the roll shall confer the franchise.

ARTICLE 8. The roll of voters shall be closed ten days before the date fixed for the beginning of the elections in the district.

A copy of the roll shall be deposited or posted in the commune on that date.

It shall remain there until the date fixed for the elections in the constituency and may be consulted there by any interested person.

ARTICLE 9. A copy of the record of closure of the roll shall be sent to the district administrator.

##### Section III: *Nominations*

ARTICLE 10. Nominations shall be received by the district administrator, the provincial administrator or their representatives not later than five days before the beginning of the elections in the district.

ARTICLE 11. The deposit of each list of candidates shall be entered in a record drawn up by the district administrator, the provincial administrator or his representative.

Within five days after each record is drawn up, a copy thereof shall be deposited or posted at the place prescribed in article 8 and may be consulted there by any interested person.

A copy shall be posted at the district office.

ARTICLE 12. Any list bearing the names of more than ten candidates shall be null and void.

##### Section IV: *Appeals against the roll or nominations*

ARTICLE 13. Any person may appeal to the administrator of the district to which the commune belongs, not later than three days before the elections in the district, against registration or non-registration on the roll or against a nomination.

ARTICLE 14. The district administrator shall rule on every appeal not later than one day before the elections in the constituency.

A copy of his ruling shall be sent to the appellant and to the person concerned.

ARTICLE 15. The rulings of the district administrator concerning registration or non-registration on the roll of voters shall be entered on the roll within two days of the date on which they are made.

ARTICLE 16. The final lists of candidates for the constituency shall be drawn up by the district administrator. He shall assign to each list a number drawn by lot.

The lists shall be posted at the communal office and at the provincial office.

##### Section V: *Organization of polling stations*

ARTICLE 17. The district administrator shall determine the number and jurisdiction of polling stations in the district.

He shall fix the date on which the elections shall be held at each station.

ARTICLE 18. Each polling station shall be provided with not less than ten polling-booths, and with a ballot-box of a type which shall be uniform throughout the State and which shall be determined by the Resident.

ARTICLE 19. Before the polling station opens, the chairman of the polling committee shall seal the ballot-box with wax and a seal in the presence of the polling officers and the representatives of the lists of candidates.

<sup>a</sup> *Translator's note:* The expression "bureau de vote" is used in this Ordinance in two senses: in some articles it means "polling station", in others "polling committee".

The chairman shall ensure that the seal remains unbroken throughout the electoral operations.

#### Section VI: *Composition of the polling committees*

ARTICLE 20. Each polling committee shall consist of a chairman, a vice-chairman and four polling officers appointed by the district administrator.

ARTICLE 21. The chairman and vice-chairman of the committee shall be chosen from among the personnel who belong to the administration or who have been placed at the latter's disposal for the duration of the elections.

The polling officers shall be chosen from among the inhabitants of the constituency.

ARTICLE 22. The chairman shall be responsible for the conduct of all electoral operations and for the maintenance of law and order in the polling station.

He shall take all necessary steps to preserve order and the freedom of the ballot.

He may apportion among his polling officers the tasks conferred on him by this Ordinance.

ARTICLE 23. In his absence from the polling station, the chairman shall be replaced by the vice-chairman or, if the vice-chairman is not available, by such polling officer as he may appoint.

ARTICLE 24. If one or more polling officers are missing at the time fixed for the opening of the ballot or when voting is in progress, the chairman shall replace them, *ex officio*, with persons resident within the jurisdiction of the polling station.

ARTICLE 25. Before taking office, the chairman, vice-chairman and polling officers shall take the following oath: "I swear to ensure the proper conduct of the electoral operations and to preserve the secrecy of the ballot."

ARTICLE 26. The oath shall be taken, in the usual language of the person concerned, by the vice-chairman and polling officers before the chairman, and by the chairman before the assembled committee.

ARTICLE 27. The chairman, vice-chairman and polling officers shall be entitled to attendance vouchers at the rate of sixty francs a day for the chairman and vice-chairman and thirty francs a day for each polling officer.

The said vouchers shall be honoured in cash by the district administrator or his representative at the close of the electoral operations in the constituency.

#### Section VII: *Representatives of the lists*

ARTICLE 28. One representative of each valid list of candidates may attend all the electoral operations.

ARTICLE 29. The representatives of the lists may address observations only to the chairman of the committee. The said observations shall be entered in the record of the election.

#### Section VIII: *The election proper*

ARTICLE 30. The polling station shall be open to voters from 8 a.m. to 4 p.m. However, the chairman may decide that the station shall open earlier or close later. His decision, accompanied by a statement of reasons, shall be entered in the record of the election.

ARTICLE 31. On entering the polling station each voter shall lay on the table his identity document. The chairman of the committee, having verified that the person in question has the franchise, shall tick off his name on the roll and hand him a ballot-paper, in the form prescribed by the Resident, on which he has entered the name of the constituency and his own initials.

ARTICLE 32. Each voter shall then proceed directly to a polling-booth. An invalid or illiterate voter may be assisted by a person of his choice.

ARTICLE 33. Each voter may cast one vote. He shall mark the ballot-paper with a cross against the name of the candidate of his choice.

ARTICLE 34. After folding his ballot-paper in two with the marks inside, the voter shall place it in the ballot-box in front of the chairman.

ARTICLE 35. Before leaving, each voter shall withdraw his identity document, to which a stamp in a form prescribed by the Resident has meanwhile been affixed. The stamping of the document shall be recorded on the roll.

#### Section IX: *Closure of the ballot*

ARTICLE 36. At the hour fixed in accordance with article 30, the chairman of the committee shall declare the ballot closed. In the presence of the polling officers and the representatives of the lists of candidates, he shall stop the slit in the ballot-box and seal it with wax and a seal.

ARTICLE 37. He shall count the unused ballot-papers and place them in a sealed envelope bearing a note of its contents.

ARTICLE 38. He shall then draw up, with his polling officers, the record of the election.

ARTICLE 39. When the electoral operations within the jurisdiction of the polling station are completed, the chairman shall transmit to the district administrator or to his representative the ballot-box, the envelope containing unused ballot-papers, and the record of the election.

#### Section X: *The count*

ARTICLE 40. When the electoral operations in a constituency are completed, the district administrator or his representative shall proceed to count the votes. He shall be assisted by the chairmen of the polling committees and by such persons as he may designate.

The votes shall be counted station by station in the presence of the representatives of the lists.

ARTICLE 41. After satisfying himself that the seals are intact, the district administrator or his representative shall open the ballot-box and withdraw and count the ballot-papers.

ARTICLE 42. He shall sort the same into valid, invalid and blank ballot-papers.

ARTICLE 43. *A.* The following shall be invalid:

1. Ballot-papers which are not of the prescribed form;
2. Ballot-papers which are torn or which bear marks or words other than those prescribed in articles 31 and 33;
3. Ballot-papers on which more than one vote has been recorded.

*B.* The following shall be blank:

Ballot-papers on which no vote has been recorded.

*C.* All other ballot-papers shall be valid.

ARTICLE 44. The district administrator or his representative shall write on each invalid ballot-paper the letter N, followed by the figure 1 or 2, as the case may be, to indicate the grounds for invalidity prescribed in paragraph *A* of the preceding article. He shall count the invalid ballot-papers and place them in an envelope bearing a note of its contents.

ARTICLE 45. He shall write on each blank ballot-paper the letter B, followed by the figure 1 or 2, as the case may be, in accordance with article 43, paragraph *B*. He shall count the blank ballot-papers and place them in a sealed envelope bearing a note of its contents.

ARTICLE 46. He shall count the valid ballot-papers.

ARTICLE 47. He shall calculate the number of votes cast by the voters at each station for the different candidates and for the different lists.

ARTICLE 48. He shall place the valid ballot-papers in a sealed envelope bearing a note of its contents.

#### Section XI: *Distribution of seats*

ARTICLE 49. By adding together the results from the different stations, the district administrator or his representative shall determine, for the constituency as a whole:

- (a) The total number of invalid ballot-papers, blank ballot-papers and valid ballot-papers;
- (b) The total number of votes obtained by each candidate;
- (c) The total number of votes obtained by each list.

ARTICLE 50. He shall carry out the operations prescribed in articles 50, 51 and 52 of Legislative Order No. 02/18 of 15 January 1961.

ARTICLE 51. He shall enter the results in the record of the count.

ARTICLE 52. The name of the candidate elected and the names of his alternates shall be made known to the population forthwith, by proclamation and posting.

ARTICLE 53. The ballot-papers shall be kept at the district office for six months. On the expiry of this period they shall be destroyed by the administrator, who shall draw up a record of this operation.

#### Section XII: *Entry into force*

ARTICLE 54. This Ordinance, which shall apply to the State of Burundi, shall enter into force on 15 January 1961.

### ANNEX XXXIV

#### Legislative Order No. 02/27 of 25 January 1961— Legislative Assembly and Interim Government of Rwanda

ARTICLE 1. Pending the elections provided for in Legislative Order No. 02/16 of 15 January 1961, the State Council and the provisional government of Rwanda shall become the Interim Legislative Assembly and the Interim Government.

The head of the government shall assume the title of Prime Minister.

ARTICLE 2. The Interim Legislative Assembly and the Interim Government shall exercise the powers vested in the Legislative Assembly and the Government of Rwanda by Legislative Order No. 02/16 of 15 January 1961.

Articles 7 to 10 of the above-mentioned Legislative Order shall apply to the Interim Legislative Assembly.

Articles 35 and 36 shall apply to the Interim Government.

ARTICLE 3. Articles 7 to 10, 12 to 28, 35 and 36 of Legislative Order No. 02/16 of 15 January 1961 shall come into force on 25 January 1961.

ARTICLE 4. Legislative Order No. 221/275 of 18 October 1960 is hereby rescinded.

ARTICLE 5. The present Legislative Order shall come into force on 25 January 1961.

### ANNEX XXXV

#### Ordinance No. 02/28 of 26 January 1961—appointment of members of the Interim Government of Burundi

ARTICLE 1. Mr. Joseph Cimpaye is appointed Prime Minister and Minister for Justice.

The following are appointed Ministers:

Mr. Pierre Bigayimpunzi: Minister for Economic Affairs;

Mr. Emmanuel Nigane: Minister for Social Affairs;

Mr. Paul Baganzicaha: Minister for Technical Affairs;

Mr. Jean Ntidendereza: Minister for the Interior.

ARTICLE 2. Subject to the limitations prescribed in Legislative Order 02/18 of 15 January 1961, the responsibilities of the Interim Government of Burundi shall comprise:

#### 1. JUSTICE

Judicial organization,

Customary law.

Administrative disputes within the State,

Recruitment of personnel for the civil service.

#### 2. ECONOMIC AFFAIRS

##### A. *Agriculture:*

##### (a) *Agronomy:*

Agricultural programmes and farming methods,

Introduction of new crops,

Relations with agricultural research institutes,

Granting of agricultural loans,

Advice on matters affecting agricultural co-operatives,

Application of the plant health laws, and the carrying out of campaigns for the control of insects and other diseases.

##### (b) *Animal husbandry:*

Study of programmes for the introduction and development of animal husbandry, and relations with the Congo National Institute for Agronomic Studies (INEAC) and other research institutes,

Rationalization of pastoral and mixed farming,

Improvement of pasture and livestock fodder,

Development of virgin areas for animal husbandry.

##### (c) *Water and forestry:*

Forestry policy and economy; forest management,

Study, protection, utilization and control of fauna,

Development and rationalization of fisheries; organization and development of pisciculture.

##### (d) *Rural engineering:*

Study and execution of rural engineering works for soil conservation and utilization; rural development schemes with a view to the rational use of the soil and the intensification of cultivation; small and medium-scale agricultural hydraulic works; rural building and roads,

Rationalization on the farms.

##### (e) *Training of auxiliary personnel (monitors and assistants).*

#### B. *Veterinary affairs:*

Pathology, treatment, preventive medicine, hygiene and control of domestic livestock,

Health supervision under the laws concerning food products of animal origin,

Application of the veterinary laws.

#### C. *Land tenure:*<sup>a</sup>

Registration,

Property management,

Water régime,

Land reform,

Cadastral survey.

#### D. *Economic affairs:*

Problems of economic development,

Internal trade; business centres, trading centres, and commercial activity; regional price control,

The middle classes,

The regulation of transport,

Licensing of hotels, restaurants and bars,

Operating permits,

Mines: functions hitherto reserved to the keeper of land titles with respect to the conduct of the mining industry.

### 3. SOCIAL AFFAIRS

#### A. *Social affairs:*

##### (a) *Labour and social welfare,*

Regional legislation: wages, rations and housing,

<sup>a</sup> The Minister for Economic Affairs shall exercise, within the boundaries of the land area of Burundi, the powers and functions hitherto reserved to the keeper of land titles of Ruanda-Urundi, save with respect to notarial matters and the conduct of the mining industry.

- Labour inspection,
- Operation of professional organizations,
- Unemployment.
- (b) Social organization,
  - Rural and community development,
  - Social assistance, homes and workshops,
  - Youth work and child protection,
  - Co-operatives,
  - Relations with social development organizations.
- B. *Medical affairs*:
  - Medical organization,
  - Medical assistance at the regional level,
  - Hygiene.
- C. *Education and religion*:
  - Primary education, teacher-training and technical education: organization, curriculum, inspection, personnel regulations,
  - Secondary, agricultural, higher and university education: planning,
  - Award of State study grants and of study grants entrusted to the State,
  - Religion.
- 4. TECHNICAL AFFAIRS
  - All functions arising out of the execution of the ordinary public works budget,
  - Mechanization within the State.
- 5. THE INTERIOR
  - A. *Internal affairs*:
    - Organization of new institutions: suggestions, application of the laws,
    - Electoral system: proposals concerning legislation and organization,
    - Administration of populations, administrative divisions, authorities and councils,
    - Political advice concerning the fiscal system,
    - Demography, census and statistics.
  - B. *Civil service*:
    - African personnel under contract; State personnel regulations and the administration of personnel subject thereto,
    - Honours, other than Belgian national orders,
    - Relations with the School of Administration,
    - Suggestions and advice regarding the assignment and transfer of metropolitan personnel seconded to the State administration.
- 6. FINANCE
  - Advice on that part of the Ruanda-Urundi budget which relates to the State of Burundi and common services of general administration,
  - Supervision of communal budgets, to ensure compliance with the general instructions issued,
  - Supervision of the execution of budgets which affect the budget of Burundi,
  - Supervision of State monopolies,
  - Award of contracts,
  - Supervision of the trend of State resources in money and personnel,
  - Approval of local appointments,
  - Approval of financial commitments,
  - Audit of public funds,
  - Keeping of the State accounts,
  - Payments and clearing of accounts,
  - Supplies,

Alcoholic beverages,  
Regional fiscal laws.

ARTICLE 3. This Ordinance shall enter into force on 26 January 1961.

#### ANNEX XXXVI

##### Legislative Order No. 02/29 of 26 January 1961 concerning the Interim Government of Burundi

ARTICLE 1. Pending the elections provided for in Legislative Order No. 02/18 of 15 January 1961, an Interim Government of Burundi shall be established.

ARTICLE 2. The Interim Government shall be composed of a Prime Minister and Ministers.

In the event of the absence of the Prime Minister or of his inability to discharge his functions, he shall be replaced by a Minister whom he shall designate in agreement with the Council of Ministers.

ARTICLE 3. The Resident-General shall appoint the Prime Minister and the Ministers, in consultation with the principal political parties.

He may dismiss them.

He shall fix their salaries.

ARTICLE 4. The Interim Government shall exercise the powers conferred on the Government by Legislative Order No. 02/18 of 15 January 1961.

Within those limits, the Resident-General shall define the powers of each Minister.

ARTICLE 5. Articles 23 to 28, 35 and 36 of Legislative Order No. 02/18 of 15 January 1961 shall come into force on 26 January 1961.

ARTICLE 6. The present Legislative Order shall come into force on 26 January 1961.

#### ANNEX XXXVII

##### Legislative Order No. 02/30 of 27 January 1961 concerning the Interim Council of Burundi

###### Section 1: *The Interim Council*

ARTICLE 1. An Interim Council of Burundi shall be established pending the elections provided for by Legislative Order No. 02/18 of 15 January 1961.

ARTICLE 2. The Interim Council shall consist of sixty-four members appointed in accordance with section 2 of the present Legislative Order.

The emoluments of the members of the Interim Council shall be fixed by the Resident-General.

ARTICLE 3. The Interim Council shall exercise the functions of the State Council as laid down in Legislative Order No. 02/18 of 15 January 1961.

Articles 4, 5, and 7 to 10 of the above-mentioned Legislative Order shall be applicable to the Interim Council.

ARTICLE 4. The Interim Government shall be required to obtain a vote of confidence from the Council, which shall be by an absolute majority of the votes of all the members of the Council.

Articles 33 and 34 of Legislative Order No. 02/18 of 15 January 1961 shall be applicable to the Interim Council and Government.

###### Section 2: *The formation of the Interim Council*

ARTICLE 5. Each member of the Interim Council shall be elected by an electoral college composed of two or more communal councils. The communes shall be combined in accordance with the annex to the present Legislative Order.

ARTICLE 6. Each election shall be held at a meeting of the electoral college under the chairmanship of the district administrator or his deputy.

The date of the meeting of the electoral college shall be fixed by the Resident.

ARTICLE 7. Those persons shall be eligible for election who, at the time of the closing of the electorals lists:

Have their habitual place of residence in the State;

Are twenty-one years of age or over;

Are nationals of Burundi;

Have successfully completed two years of post-primary studies or have

Attained an equivalent standard of education.

ARTICLE 8. The following shall not be eligible for election:

1. A person who has been sentenced to penal servitude for a term of:

(a) Not less than two nor more than six months within the past two years;

(b) Not less than six months nor more than one year within the past five years;

(c) Not less than one year nor more than five years within the past ten years;

(d) Not less than five years during the past twenty years.

These periods shall be calculated from the final date set for the nomination of candidates;

2. A person confined to an institution or hospital by reason of insanity;

3. A person who has been declared bankrupt; the disability shall cease as soon as the bankrupt has been discharged or, in any case, ten years after the bankruptcy has been pronounced;

4. A person living under a system of prescribed residence;

5. A prisoner.

ARTICLE 9. Serving members of the armed forces or the police of Ruanda-Urundi shall not be eligible for election.

ARTICLE 10. The names of candidates shall be submitted on lists which may or may not be sponsored by parties or associations. The number of candidates on a list need not exceed one and may not exceed ten.

ARTICLE 11. A candidature shall be null and void if the candidate:

Fails to signify acceptance;

Is not eligible for election;

Is entered on more than one list;

Is standing for election in more than one electoral college.

ARTICLE 12. The names of candidates shall be submitted, before the opening of the meeting of the electoral college, to the district administrator or his deputy, who shall determine whether the conditions for eligibility have been fulfilled.

ARTICLE 13. The election shall be held by secret ballot. Each voter shall receive a ballot-paper the form of which shall be determined by the Resident. The ballot-paper shall bear the name of the electoral college and shall be initialled by the chairman.

ARTICLE 14. Each voter may cast one vote. He shall write on the ballot-paper the name of the candidate of his choice.

A voter unable to read or write may be assisted by a person selected by himself.

ARTICLE 15. The chairman shall call on the voters by name. When their names are called, voters, having folded their ballot papers in half with the name to the inside, shall deposit them in the ballot-box in front of the chairman, who shall mark off their names on the list as they come forward.

ARTICLE 16. When the voting has been concluded, the chairman shall proceed to the count in open meeting. He may be assisted by persons designated by himself.

ARTICLE 17. Having opened the ballot-box, he shall remove the ballot-papers, count them and divide them into valid ballots, invalid ballots and blank ballots.

ARTICLE 18. A. The following shall be invalid:

1. Ballot-papers which are not of the prescribed form;

2. Ballot-papers which are torn or which bear marks or words other than those prescribed in articles 13 and 14;

3. Ballot-papers on which more than one vote has been recorded.

B. The following shall be blank:

Ballot-papers on which no vote has been recorded.

C. All other ballot-papers shall be valid.

ARTICLE 19. The chairman shall mark invalid ballot-papers with the letter N, followed by a figure 1, 2 or 3, corresponding to one of the causes of invalidity defined in paragraph A of the preceding article.

ARTICLE 20. He shall mark blank papers with the letter B.

ARTICLE 21. He shall count the invalid ballots, the blank ballots and the valid ballots.

ARTICLE 22. He shall count the number of votes cast by the voters in favour of the various candidates and the various lists.

ARTICLE 23. The seat shall be allotted to the list which has received the largest number of votes.

ARTICLE 24. If two or more lists have received an equal number of votes, the seat shall be allotted on the basis of the number of votes obtained by the candidates standing for election; the candidate who has obtained the largest number of votes shall be the victor. In the event of a tie, the oldest candidate shall be the victor; if it is impossible to ascertain beyond any doubt which candidate is the oldest, lots shall be drawn.

ARTICLE 25. A seat which has been allotted to a list shall go to the candidate on that list who has obtained the largest number of votes. In the event of a tie, the seat shall be allotted to the candidate whose name was submitted earliest.

### Section 3: General Provisions

ARTICLE 26. Articles 4, 5, 7 to 10, 12 to 22, 33 and 34 of Legislative Order No. 02/18 of 15 January 1961 shall come into force on 27 January 1961.

ARTICLE 27. The present Legislative Order shall come into force on 27 January 1961.

### APPENDIX TO LEGISLATIVE ORDER No. 02/30 OF 27 JANUARY 1961

#### *Electoral districts of Burundi*

Province	No. of the E.D.	Communes	Province	No. of the E.D.	Communes
KITEGA . . . . .	1	Runyoni Mugera	BUKIRASAZI	5	Kitega Mungwa
	2	Rwisabi Mutaho Bugendana		1	Buhevyi Itaba Bukirasazi
	3	Bitare Kabanga		2	Maramvya Makebuko
	4	Butegana Kiheta		3	Buraza Kangozi

*Electoral districts of Burundi (continued)*

<i>Province</i>	<i>No. of the E.D.</i>	<i>Communes</i>	<i>Province</i>	<i>No. of the E.D.</i>	<i>Communes</i>
	4	Nyarusange Kavumu Ryansoro		3	Mparamirundi Busiga
	5	Nyabiraba Nyabitanga		4	Kabuye Kayanza
CANGUZO	1	Mulemera Mugera Canguzo Kisagara Cendajuru		5	Katara Rukago
NGOZI	1	Mubuga Ruhororo Muhanga		6	Butaganzwa Shinya
	2	Ngoma Gashikanwa Muremere		7	Matongo Banga
	3	Tangara Gaseserwa Gakere	MURAMVYA	8	Gahombo Maramvya Mubogora
	4	Kiheta Marangara Nyamugari Kiremba		9	Bango Gaheta
	5	Katsinda Kumumba Kabamba		1	Busangana Bukeye Bugarama
KARUZI	1	Buhiga Buhinyuza Mutumba		2	Muramvya Mbuye
	2	Nyabikere Mubwiga Bugenyuzi		3	Rutegama Kiganda
	3	Rugazi Kuntunda Nyarunhinda	KIRUNDU	1	Butambuka Bwambarangwe Butarugera
				2	Busoni Busigo
				3	Bugabiro Kirundu Kanyinya
				4	Kuntega Bukuba
				5	Cendajuru Vumbi
RUYIGI	1	Nyabitare Kisuru Kinyinya Mago	CIBITOKI	2	Mugina Butahana
	2	Busoro Kayongozi Kirambi Kumuvumu	MWISALE		Bukinanyana Ndora
	3	Butezi Biyorwa Muliza		3	Ntamba Musigati Muyebe Mpanda
MWARO	1	Kayotwe Muyange Nyabihanga		4	Usumbura Ruzizi Muzazi Muzinda
	2	Rusaka Rubanga Ndava		5	Ageyo Nyambuye Isale
	3	Gitara Bisoro Makamba		6	Kanyosha Gasarara Kiyanzi Gitenga
USUMBURA	1	Rugombo Buganda		7	Mugongo Mukike Mutambu Gomvyi
BUBANZA		Murwe Gihanga		8	Kabezi Buyenzi Bugarama
KAYANZA	1	Ijene Kabarore	MUHINGA	1	Muhinga Rugari Kisenyi
	2	Muruta Buriza			

*Electoral districts of Burundi (continued)*

<i>Province</i>	<i>No. of the E.D.</i>	<i>Communes</i>	<i>Province</i>	<i>No. of the E.D.</i>	<i>Communes</i>
BURURI	2	Buhinyuza Mwakiro	MAKAMBA	1	Nyanza-Lac Mabanda Kibago
	3	Butihinda Kasorwe		2	Vugizo Kikuzi Kisenyi
	4	Kisanze Muyange		3	Munini Kitaba Makamba
	1	Minago Burambi Buyengero	RUTANA	1	Muzenga Kitanga Bukemba
	2	Muzenga Songa Kiryama		2	Musongati Ngoma Mwishanga Rutana
	3	Rumonge Bururi		3	Mpinga Kiharo Nyakahero Muzye
	4	Mugamba Mikobe Bututsi			

## ANNEX XXXVIII

**Legislative Order No. 02/38 of 6 February 1961 concerning the autonomous powers of the public authorities of Rwanda**

ARTICLE 1. The autonomous powers established by Legislative Order No. 02/16 of 15 January 1961 are exercised in Rwanda by the public authorities set up on 28 January 1961 by the general assembly which met at Gitarama:

The provisional government,

The Council of Rwanda,

The burgomasters and communal councillors.

ARTICLE 2. Sections I to IV of chapter I of Legislative Order No. 02/16 of 15 January 1961 come into force on 1 February 1961.

ARTICLE 3. Legislative Order No. 02/27 of 25 January 1961 is abrogated.

ARTICLE 4. The present Legislative Order comes into force on 1 February 1961.



**Agenda item 46: Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General\***

**C O N T E N T S**

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
<b>Fourth Committee:</b>		
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\* For the records of the meetings at which this item was considered, see *Official Records of the General Assembly, Fifteenth Session, Fourth Committee*, 1104th to 1107th, 1128th to 1130th and 1153rd meetings; and *ibid.*, *Plenary Meetings*, 994th meeting.

**DOCUMENTS A/4542 AND ADD.1**

**Establishment of United Nations information centres in or near Trust Territories: report of the Secretary-General**

***Document A/4542***

[*Original text: English*]  
[19 October 1960]

1. In its resolution 1410 (XIV), adopted on 5 December 1959, the General Assembly requested the Secretary-General to initiate discussions with the Administering Authorities of Trust Territories with a view to establishing, during 1960, "in at least some of the larger Trust Territories, such as Tanganyika, Ruanda-Urundi and New Guinea, United Nations information centres in which the responsible positions would be occupied preferably by indigenous inhabitants of the Trust Territories concerned". The General Assembly also requested the co-operation and assistance of the Administering Authorities in this matter and called upon the Secretary-General to submit a report on the implementation of the resolution to the General Assembly at its fifteenth session.

2. Resolution 1410 (XIV) also referred to the report of the Secretary-General on the early establishment of United Nations information centres in or near the Trust Territories submitted to the Trusteeship Council at its twenty-fourth session (T/1467) and to the Secretary-General's further report to the Council at the same session on the dissemination of information

on the United Nations and on the International Trusteeship System in Trust Territories (T/1463).

3. The Secretary-General now reports on actions undertaken in pursuance of General Assembly resolution 1410 (XIV).

4. At the beginning of March 1960, the Secretary-General communicated with the Governments of Australia, Belgium, France, New Zealand, the United Kingdom of Great Britain and Northern Ireland and the United States of America in order to obtain their observations with regard to the establishment of United Nations information centres as requested in resolution 1410 (XIV).

5. The Secretary-General has received initial replies from all the Governments concerned and it would seem appropriate to review here the stage reached in the negotiations at the present time with each of these Governments.

6. Following an acknowledgement by the Permanent Representative of Australia to the United Nations of the Secretary-General's initial letter, a further ex-

change of correspondence has taken place. In it the Permanent Representative assured the Secretary-General that the possibility of establishing a United Nations information centre in New Guinea would be kept under review. The Australian Government doubted, however, whether the establishment of such a centre in New Guinea could be justified at the present stage, and pointed to certain practical reasons which, in its opinion, made it desirable for the United Nations Information Centre in Sydney to continue to provide services to, and to maintain close and constant liaison with, the Administration of the Trust Territory.

7. In the view of the Australian Government, the United Nations Information Centre in Sydney, which at present serves Australia and New Zealand and the Trust and Non-Self-Governing Territories administered by them, operates effectively in areas much further removed from Sydney than is the Trust Territory of New Guinea.

8. The Permanent Representative of Australia referred to the United Nations Visiting Mission to the Trust Territories of Nauru, New Guinea and the Pacific Islands 1959, which noted in its report on New Guinea that Melanesian pidgin was at present the only common medium of communication in much of the Territory (T/1451, para. 203).

9. The Australian Government indicated that it has recognized the necessity of spreading the knowledge of English, and the Permanent Representative stated that the Administration was giving this high priority in the extensive educational programmes which it was undertaking. He stated further that until English literacy had been achieved there were only limited numbers of the indigenous inhabitants who could readily assimilate United Nations material. United Nations material, it was stated, is being actively disseminated in the schools, where English is understood. For other inhabitants of the Trust Territory, United Nations material must be translated into Melanesian pidgin or into one of the several hundreds of native dialects, and drastically simplified to make it understandable. The United Nations Information Centre in Sydney is in close and constant liaison with the Administration of the Trust Territory to give effect to this programme.

10. The Permanent Representative indicated his readiness to discuss further means of improving the dissemination of information about the United Nations in the Trust Territory with the Secretary-General or with members of the Secretariat. Accordingly, discussions were initiated and are continuing at the present time.

11. In a letter dated 27 June 1960, the Permanent Representative of Belgium to the United Nations indicated to the Secretary-General the readiness of his Government to proceed with an exchange of views and called attention to the presence at United Nations Headquarters of the Special Representative for Ruanda-Urundi, who would be in a position to discuss with the Secretariat the conditions for the possible opening of an information centre in Ruanda-Urundi. On 29 June 1960, discussions took place between the Special Representative and the United Nations Secretariat in the course of which it was indicated that the Government of Belgium would consider it advantageous and valuable for a United Nations information centre to be established in Ruanda-Urundi in addition to the Government Information and Documentation Centre recently established by it in Usumbura in response to

General Assembly resolution 1410 (XIV). This Centre makes available publications on the United Nations and is equipped for the showing of United Nations films.

12. Should a United Nations information centre be established in Usumbura, the Special Representative felt that it would be desirable to have at least two locally recruited staff members who could prepare material in the local languages of the Territory. He indicated that the provision of assistance by his Government in obtaining premises, furniture and facilities in connexion with the establishment of a centre might be discussed at a later date. The Special Representative also discussed the possibility of the Government Information and Documentation Centre in Usumbura handling the preparation and distribution of United Nations Information material for the Territory. In the course of the discussions, arrangements were made to expand the dissemination of United Nations information in the Territory as an immediate measure pending the conclusion of arrangements to establish a United Nations information centre.

13. In his reply to the Secretary-General's request for the views of his Government on the resolution, the Permanent Representative of France to the United Nations has pointed out that, as a result of the recent accession of Cameroun and Togo to independence, there were no longer under French administration any Territories falling within the purview of the General Assembly's resolution.

14. In transmitting the observations of his Government to the Secretary-General, the Deputy Permanent Representative of New Zealand to the United Nations indicated that his Government felt that the facilities of the United Nations Information Centre in Sydney, which were available for both New Zealand and Western Samoa, provided effective information services within the limits of the Centre's resources. In addition to these facilities, the people of Western Samoa have ready access to documents and publications on the United Nations sent regularly to the Trust Territory. United Nations films and radio services are also used in the Territory. The Deputy Permanent Representative recalled that during 1959 the New Zealand Government arranged to pay half the expenses of a government information service in Western Samoa and to provide a chief publicity officer whose primary duty is to increase the awareness of the Territory's people of the political and constitutional changes in the Samoan government. The public information programme which is now being formulated will devote particular attention to the part played by the United Nations in constitutional developments in the Territory. The New Zealand Government has also offered to train in New Zealand a Samoan to take over the direction of public relations services in Western Samoa.

15. In these circumstances, the New Zealand Government informed the Secretary-General that, while it would at all times be receptive to suggestions for improving the dissemination of information about the United Nations within Western Samoa, it did not feel justified in seeking the establishment of a United Nations information centre in a Trust Territory where adequate facilities are already available.

16. Following discussions between the Special Representative for Tanganyika and the United Nations Secretariat, the Permanent Representative of the United Kingdom to the United Nations informed the

Secretary-General that his Government had not so far requested the establishment of a United Nations information centre in Tanganyika because it was thought that adequate arrangements were possible within the existing organization, which would take into account the budgetary limitations upon the programme of the United Nations Office of Public Information and the need for that Office "to deploy its scarce resources to the maximum advantage". The Permanent Representative of the United Kingdom informed the Secretary-General that his Government would welcome any improvements which could be made in arrangements for the dissemination of information about the United Nations in the Trust Territory of Tanganyika. It was indicated that, to this end, Tanganyika authorities would welcome a visit to Dar es Salaam by a United Nations information officer to explore ways and means of developing United Nations information services. The visit was arranged for the autumn of 1960. The Permanent Representative indicated also that it was the intention of the Administering Authority to place the matter of the establishment of a United Nations information centre before the newly constituted Government of Tanganyika which took office early in the autumn of this year. He also referred to the recent statement of the Administering Authority that it would welcome the appointment to Dar es Salaam of a Resident Representative of the Technical Assistance Board and suggested that if the new Government of Tanganyika wished such an arrangement to be made, "an efficient and economical way of pursuing the objectives of General Assembly resolution 1410 (XIV) may be to attach an information officer to the staff of such a technical assistance representative when he is appointed". A representative of the Secretary-General will shortly undertake an extensive visit to Tanganyika to examine with the Government arrangements for the establishment of an office of the Technical Assistance Board and the possibility of providing necessary information services in conjunction with that office.

17. Referring to the Trust Territory of the Pacific Islands, the Permanent Representative of the United States of America to the United Nations has pointed out to the Secretary-General that his Government favours the distribution of information material about the United Nations to inhabitants of the Territory in the most expeditious and effective manner possible. In drawing attention to the distances involved in the Trust Territory, the Permanent Representative recalled that the arrangements at present in effect for forwarding information about the United Nations directly from

the United Nations Secretariat to the High Commissioner and to the seven district administrators of the Trust Territory for distribution had proved effective. Were the United Nations to undertake the direct distribution of information material in the Trust Territory on a basis equally as effective as the system currently in use, it was the opinion of the United States Government that an information centre would be required in most, if not all, of the seven district centres. The Permanent Representative indicated that his Government therefore felt the most realistic approach would be for the seven district administrators of the Trust Territory to continue to distribute materials supplied by the United Nations and noted that his Government would welcome any proposal that might be made for the improvement of this distribution, either as to means or types of material.

18. It will be seen from the foregoing that the Secretary-General is continuing his discussions with the Administering Authorities for the Trust Territories of Tanganyika, Ruanda-Urundi and New Guinea. In the case of Tanganyika, it is hoped that, on the basis of recommendations resulting from the forthcoming visit of the Secretary-General's representative, it will be possible to reach agreement with the Government for the early establishment of a combined United Nations technical assistance and information office in Dar es Salaam. If and when new information centres are established, it is a general rule for the Office of Public Information to appoint, to the fullest extent that resources permit, local qualified staff able to work in the appropriate indigenous languages.

19. As a result of discussions during the past twelve months between officials of the Office of Public Information and special representatives of the Administering Authorities for New Guinea and Nauru, the Trust Territory of the Pacific Islands, Tanganyika, Ruanda-Urundi and Western Samoa, arrangements have been put into effect for strengthening and expanding the dissemination of publications, films and radio programmes about the United Nations and the specialized agencies, either direct from the United Nations Headquarters or from existing information centres. Details on the flow of information material to the Trust Territories are contained in the most recent of the periodic reports on the dissemination of information on the United Nations and the International Trusteeship System in Trust Territories which was submitted by the Secretary-General to the Trusteeship Council at its twenty-sixth session (T/1533).

### **Document A/4542/Add.1**

*[Original text: English]  
[24 March 1961]*

1. On 19 October 1960 the Secretary-General submitted a report (A/4542) on the implementation of General Assembly resolution 1410 (XIV) which had requested the Secretary-General to initiate discussions with the Administering Authorities of Trust Territories with a view to establishing during 1960, "in at least some of the larger Trust Territories, such as Tanganyika, Ruanda-Urundi and New Guinea, United Nations information centres in which the responsible positions would be occupied preferably by indigenous inhabitants of the Trust Territories concerned".

2. Since the preparation of this report, further discussions have been held with the Administering Authorities of Ruanda-Urundi and of Tanganyika and the results of these discussions are summarized below.

3. In these discussions, the representative of the Administering Authority of Ruanda-Urundi advised that the question of the selection of an information assistant to be trained for the post in the Territory should properly be raised with the new Government following the legislative elections in the Territory. The Secretary-General had therefore intended to request

the new Government, following the elections, to recommend a candidate.

4. In the meantime, however, the United Nations Commission for Ruanda-Urundi, in its interim report to the General Assembly (A/4706, para. 224), has recommended that a United Nations information centre should be set up with all possible speed in Ruanda-Urundi.

5. With this recommendation in view, and taking into account that no date has yet been fixed for the elections previously mentioned, the Secretary-General proposed to the Administering Authority that the United Nations, with the agreement of that Authority, should proceed immediately with the establishment of an information centre in the Trust Territory. The Secretary-General further suggested that an experienced United Nations information officer be designated, *ad interim*, as the director of this information centre. The director would take up his post in the near future and, in addition to establishing the centre, would assist in the selection of candidates from the Territory who would be trained by the United Nations to occupy the

posts of information assistants in the centre. The Secretary-General is now awaiting the reply of the Administering Authority to these proposals.

6. A representative of the Secretary-General visited Tanganyika in November and December 1960, to undertake, *inter alia*, further discussions regarding the establishment of an information centre in that Territory. As a result of these discussions, the Council of Ministers of the Government of Tanganyika has requested that a United Nations information centre be attached to the office of the Resident Representative of the Technical Assistance Board which will be established in the Territory in the near future. In addition, other Governments in East Africa have expressed an interest in receiving services from this information centre. When the office of the Resident Representative of the Technical Assistance Board has been established in the Territory, the Secretary-General will proceed with the appointment of an information officer to provide information services to Tanganyika as well as to other territories in East Africa which have also requested such services.

## DOCUMENT A/C.4/478

### Financial implications of the draft resolution contained in document A/C.4/L.673/Rev.2: note by the Secretary-General

[Original text: English]  
[3 April 1961]

U.S. dollars

Estimates for printing leaflets and producing radio and visual material for trust Territories under draft resolution A/C.4/L.673/Rev.2 are as follows:

U.S. dollars

#### 1. Printing

Translation and production of four leaflets:

(a) Two-page leaflet giving text of the Declaration on the granting of independence to colonial countries and peoples (General Assembly 1514 (XV));

(b) Four-page leaflet on the purposes and operations of the United Nations;

(c) Four-page leaflet on the purposes and operation of the International Trusteeship System;

(d) Four-page leaflet on the principles of the Universal Declaration of Human Rights.

To be produced in nine languages for a total of 425,000 copies ..... 12,500.

#### 2. Radio and visual material

Estimates for producing the material in English, French and Kiswahili are as follows:

(a) Films on the Trusteeship Council; the Charter; the General Assembly;

(b) Filmstrips on the International Trusteeship System; the aims of the United Nations; the General Assembly; the Universal Declaration of Human Rights;

(c) Wallsheets on the International Trusteeship System; the General Assembly; Africa.

Estimated cost for radio and visual material . 7,200.

Sub-total 19,700.

3. Additionally, draft resolution A/C.4/L.673/Rev.2 called for the estimated costs for the opening of an information centre in New Guinea. These costs, based on a six-month operation, are as follows:

(a) Local staff . . . . . 4,000.

(b) Equipment . . . . . 2,000.

(c) Other operational costs . . . . . 2,000.

8,000.

GRAND TOTAL 27,700.

4. The 1961 Budget Estimates provide for the opening of new information centres in Tanganyika and Ruanda-Urundi.

## DOCUMENT A/4736

### Report of the Fourth Committee

[Original text: English]  
[20 April 1961]

1. At its 881st plenary meeting, on 1 October 1960, the General Assembly allocated the following item on its agenda to the Fourth Committee:

"46. Dissemination of information on the United Nations and the International Trusteeship System

in Trust Territories: report of the Secretary-General" (A/4542 and Add.1).

2. The Fourth Committee considered this item from its 1104th to its 1107th and at its 1128th and 1129th meetings.

3. At the 1105th meeting, Burma submitted a draft resolution (A/C.4/L.673), which is reproduced below:

*"The General Assembly,*

*"Recalling its resolutions 1276 (XIII) of 5 December 1958, and 1410 (XIV) of 5 December 1959, whereby the General Assembly, inter alia, requested the Secretary-General to initiate discussions with the Administering Authorities of Trust Territories with a view to establishing, during 1960, in at least some of the larger Trust Territories, such as Tanganyika, Ruanda-Urundi and New Guinea, United Nations information centres in which the responsible positions would be occupied preferably by indigenous inhabitants of the Trust Territories concerned,*

*"Having perused the report of the Secretary-General (A/4542 and Add.1) prepared in accordance with General Assembly resolution 1410 (XIV) of 5 December 1959, and observing therefrom that the dissemination of information on the United Nations among the peoples of the Trust Territories is still far from satisfactory,*

*"Keeping in view the special status of Trust Territories and their inhabitants and also the General Assembly's own special responsibilities under Chapters XII and XIII of the Charter of the United Nations,*

*"Reiterating that it is essential, in the General Assembly's view, that the peoples of Trust Territories should receive adequate information concerning the purposes and operation of the United Nations and of the International Trusteeship System, and of the principles of the Universal Declaration of Human Rights,*

*"1. Takes note of the report of the Secretary-General on dissemination of information on the United Nations and the International Trusteeship System in Trust Territories;*

*"2. Considers that United Nations information centres constitute the most important means of disseminating information about the United Nations;*

*"3. Requests the Secretary-General to continue discussions with the Administering Authorities concerned with a view to establishing, during 1961, in Tanganyika, Ruanda-Urundi and New Guinea, United Nations information centres in which the responsible positions would be occupied preferably by indigenous inhabitants of the Trust Territories concerned;*

*"4. Invites the Administering Authorities to extend their co-operation and assistance to the Secretary-General in implementing the recommendations made in paragraph 3 above;*

*"5. Requests the Secretary-General to ensure the immediate and mass publication and the widest possible circulation of the Declaration on the granting of independence to colonial countries and peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960 in all the Trust Territories;*

*"6. Further requests the Secretary-General to prepare for the twenty-seventh session of the Trusteeship Council and for the sixteenth session of the General Assembly a report on the implementation of the present resolution."*

4. During the debate on the draft resolution at the 1105th meeting, a number of comments and suggestions were made to the sponsor by, amongst others, the representatives of India, the United Kingdom, Ireland, Mexico and Cameroun. Taking these into account, the sponsor, at the 1106th meeting, submitted a revised draft resolution (A/C.4/L.673/Rev.1), the preamble

of which was the same as that of the original draft and the operative paragraphs of which are reproduced below:

*"The General Assembly*

*"1. Takes note of the report of the Secretary-General on dissemination of information on the United Nations and the International Trusteeship System in the Trust Territories;*

*"2. Considers that United Nations information centres constitute one of the most important means of disseminating information about the United Nations in these Territories;*

*"3. Takes note of the statement of the representative of the United Kingdom that, as a result of discussions between the Secretary-General and the Administering Authority, steps have been taken to establish, in the near future, a United Nations information centre in Tanganyika;*

*"4. Takes further note of the recommendation in paragraph 224 of the interim report of the United Nations Commission for Ruanda-Urundi that a United Nations information centre should be set up with all possible speed in Ruanda-Urundi;*

*"5. Requests the Secretary-General to continue discussions with a view to establishing without any further delay in Ruanda-Urundi and New Guinea, United Nations information centres in which the responsible positions would be occupied preferably by indigenous inhabitants of the Trust Territories concerned;*

*"6. Invites the Administering Authorities to extend their co-operation and assistance to the Secretary-General in implementing the recommendations made in paragraphs 3, 4 and 5 above;*

*"7. Requests the Secretary-General to ensure the immediate and mass publication and the widest possible circulation of the Declaration on the granting of independence to colonial countries and peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960 in all the Trust Territories;*

*"8. Further requests the Secretary-General to prepare for the twenty-seventh session of the Trusteeship Council and for the sixteenth session of the General Assembly a report on the implementation of the present resolution."*

5. At the 1107th meeting, the sponsor accepted amendments orally proposed by the representatives of Bulgaria, Morocco and India, and incorporated these amendments as follows in a revised draft resolution (A/C.4/L.673/Rev.2):

(a) In the last preambular paragraph, an amendment by the representative of Bulgaria calling for the addition, at the end of the paragraph, of the words "and the Declaration on the granting of independence to colonial countries and peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960".

(b) In operative paragraph 5 an amendment by the representative of India calling for the substitution of the words "to take the necessary action to establish without any further delay in Tanganyika" for the words "to continue discussions with a view to establishing without any further delay in".

(c) In operative paragraph 5, an amendment by the representative of Bulgaria calling for the deletion of the word "preferably".

(d) In operative paragraph 6, an amendment by the representative of India calling for the substitution of

the words "this resolution" for the words "the recommendations made in paragraphs 3, 4 and 5 above".

(e) In operative paragraph 7, an amendment by the representative of Bulgaria calling for the insertion of the words "and dissemination through all media of mass communication" after the word "circulation".

(f) A new operative paragraph 8, proposed by the representative of Morocco.

6. At the 1128th meeting, the sponsor revised the title of the draft resolution by eliminating the sub-title: "Establishment of United Nations information centres in or near the Trust Territories".

7. At the same meeting, the representative of the United States orally proposed an amendment to the effect that, in operative paragraph 5, the words "in so far as possible" should be inserted after the words "would be occupied".

8. At its 1129th meeting, the Committee voted on the revised draft resolution (A/C.4/L.673/Rev.2) and the amendment proposed by the representative of the United States with the following results:

The amendment proposed by the representative of the United States was rejected by a vote of 37 to 23, with 15 abstentions.

A motion by the representative of France for a separate vote on the words "in which responsible positions would be occupied by indigenous inhabitants of the Trust Territories concerned", in operative paragraph 5, was rejected by a vote of 39 to 15, with 19 abstentions.

Operative paragraph 5 was adopted by a roll-call vote of 56 to 1, with 21 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Ceylon, Chad, China, Colombia, Congo (Leopoldville), Cuba, Cyprus, Czechoslovakia, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Ghana, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mali, Mexico, Morocco, Niger, Nigeria, Pakistan, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet

Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia.

*Against:* France.

*Abstaining:* Australia, Austria, Belgium, Brazil, Canada, Costa Rica, Denmark, Finland, Greece, Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Panama, Portugal, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution (A/C.4/L.673/Rev.2) as a whole was adopted by a roll-call vote of 70 to none, with 8 abstentions. The voting was as follows:

*In favour:* Afghanistan, Albania, Austria, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Ceylon, Chad, Chile, China, Colombia, Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Guinea, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Mali, Mexico, Morocco, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Venezuela, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Australia, Canada, France, Netherlands, New Zealand, Portugal, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

### **Recommendation of the Fourth Committee**

9. The Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

DISSEMINATION OF INFORMATION ON THE UNITED NATIONS AND THE INTERNATIONAL TRUSTEESHIP SYSTEM IN TRUST TERRITORIES

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

## **ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 994th plenary meeting, on 21 April 1961, the General Assembly adopted the draft resolution submitted by the Fourth Committee (A/4736, para. 9). For the final text, see resolution 1607 (XV) below.

### **Resolution adopted by the General Assembly**

1607 (XV). DISSEMINATION OF INFORMATION ON THE UNITED NATIONS AND THE INTERNATIONAL TRUSTEESHIP SYSTEM IN TRUST TERRITORIES

*The General Assembly,*

Recalling its resolution 1276 (XIII) of 5 December 1958, and resolution 1410 (XIV) of 5 December 1959 whereby the General Assembly, *inter alia*, requested the Secretary-General to initiate discussions with the Administering Authorities of Trust Territories with a view to establishing, during 1960, in at least some of the larger Trust Territories, such as Tanganyika,

Ruanda-Urundi and New Guinea, United Nations information centres in which the responsible positions would be occupied preferably by indigenous inhabitants of the Trust Territories concerned,

Having perused the report of the Secretary-General (A/4542 and Add.1) prepared in accordance with General Assembly resolution 1410 (XIV), and observing therefrom that the dissemination of information on the United Nations among the peoples of the Trust Territories is still far from satisfactory,

Keeping in view the special status of Trust Territories and their inhabitants and also the General Assembly's

own special responsibilities under Chapters XII and XIII of the Charter of the United Nations,

*Reiterating* that it is essential, in the General Assembly's view, that the peoples of Trust Territories should receive adequate information concerning the purposes and operation of the United Nations and of the International Trusteeship System, the principles of the Universal Declaration of Human Rights, and the Declaration on the granting of independence to colonial countries and peoples contained in Assembly resolution 1514 (XV) of 14 December 1960,

1. *Takes note* of the report of the Secretary-General on dissemination of information on the United Nations and the International Trusteeship System in Trust Territories;

2. *Considers* that United Nations information centres constitute one of the most important means of disseminating information about the United Nations in these Territories;

3. *Takes note* of the statement of the representative of the United Kingdom of Great Britain and Northern Ireland that, as a result of discussions between the Secretary-General and the Administering Authority, steps have been taken to establish, in the near future, a United Nations information centre in Tanganyika;

4. *Takes further note* of the recommendation in paragraph 224 of the interim report of the United Nations

Commission for Ruanda-Urundi (A/4706 and Add.1) that a United Nations information centre should be set up with all possible speed in Ruanda-Urundi;

5. *Requests* the Secretary-General to take the necessary action to establish, without any further delay, in Tanganyika, Ruanda-Urundi and New Guinea, United Nations information centres in which the responsible positions would be occupied by indigenous inhabitants of the Trust Territories concerned;

6. *Invites* the Administering Authorities to extend their co-operation and assistance to the Secretary-General in implementing the present resolution;

7. *Requests* the Secretary-General to ensure the immediate and mass publication and the widest possible circulation and dissemination, in all the Trust Territories through all media of mass communication, of the Declaration on the granting of independence to colonial countries and peoples;

8. *Requests* that the information referred to in the present resolution should be disseminated in the principal local languages as well as in the language of the Administering Authority;

9. *Further requests* the Secretary-General to prepare for the Trusteeship Council at its twenty-seventh session and for the General Assembly at its sixteenth session a report on the implementation of the present resolution.

994th plenary meeting,  
21 April 1961.

### CHECK LIST OF DOCUMENTS

NOTE: This check list includes all the documents mentioned during the consideration of agenda item 46 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/3928	Report of the Committee of Experts on United Nations public information	See <i>Official Records of the General Assembly, Thirteenth Session, Annexes</i> , agenda item 55
A/4706 and Add.1	Interim report of the United Nations Commission for Ruanda-Urundi	<i>Ibid.</i> , <i>Fifteenth Session, Annexes</i> , agenda item 45, addendum
A/C.4/L.545	Dissemination of information on the United Nations and on the International Trusteeship System in Trust Territories—Bulgaria, Burma, Ceylon, Ethiopia, Ghana, Greece, Indonesia and Liberia: draft resolution	<i>Ibid.</i> , <i>Thirteenth Session, Annexes</i> , agenda item 13, document A/4017, para. 25
A/C.4/L.545/Rev.1	Dissemination of information on the United Nations and on the International Trusteeship System in Trust Territories—Bulgaria, Burma, Ceylon, Ethiopia, Ghana, Greece, Indonesia and Liberia: revised draft resolution	<i>Ibid.</i> , paras. 25 and 27
A/C.4/L.673	Burma: draft resolution	See A/4736, para. 3
A/C.4/L.673/Rev.1	Burma: revised draft resolution	<i>Ibid.</i> , para. 4
A/C.4/L.673/Rev.2	Burma: revised draft resolution	Adopted without change. See A/4736, para. 9
A/C.4/L.677	Draft report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1153rd meeting, see A/4736
A/C.5/L.172	Report of Sub-Committee 8 of the Fifth Committee on Public Information	<i>Official Records of the General Assembly, Sixth Session, Annexes</i> , agenda item 41
T/1451	Report of the United Nations Visiting Mission to the Trust Territories of Nauru, New Guinea and the Pacific Islands, 1959, on New Guinea	<i>Official Records of the Trusteeship Council, Twenty-fourth Session, Supplement No. 5</i>

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<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
T/1463	Report of the Secretary-General	<i>Ibid.</i> , Twenty-fourth Session, Annexes, agenda item 13
T/1467	Establishment of United Nations information centres in or near the Trust Territories: report of the Secretary-General	<i>Ibid.</i>
T/1533	Report of the Secretary-General	<i>Ibid.</i> , Twenty-sixth Session, Annexes, agenda item 10



**Agenda item 48: Financial reports and accounts, and reports of the Board of Auditors:\***

- (a) United Nations (for the financial year ended 31 December 1959);
- (b) United Nations Children's Fund (for the financial year ended 31 December 1959);
- (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East (for the financial year ended 31 December 1959);
- (d) Voluntary funds administered by the United Nations High Commissioner for Refugees (for the financial year ended 31 December 1959);
- (e) United Nations Korean Reconstruction Agency (liquidation and final accounts)

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\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Fifth Committee*, 766th and 776th meeting; and *ibid.*, *Plenary Meetings*, 954th meeting.

**(a) United Nations (for the financial year ended 31 December 1959)**

**DOCUMENT A/4410**

**Report of the Advisory Committee on Administrative and Budgetary Questions**

[Original text: English]  
[21 July 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the financial reports and accounts for 1959, and the related reports of the Board of Auditors, in respect of the United Nations and its trust funds and special accounts, United Nations participation in the Expanded Programme of Technical Assistance and the Technical Assistance Board (TAB) secretariat, the United Nations Suez Canal Clearance Operation, the United Nations Emergency Force (UNEF) and the United Nations Special Fund (United Nations as Executing Agency, and the administrative budget of the Managing Director) (A/4380).

2. The Advisory Committee has also reviewed, and is reporting separately on, the 1959 accounts and related audit reports<sup>1</sup> in respect of the following extra-budgetary programmes of the United Nations, the United Nations Children's Fund (UNICEF) (A/4382), the

<sup>1</sup> In respect of the United Nations Korean Reconstruction Agency it was agreed in 1959 that a financial liquidation report and accounts would be prepared at the date of liquidation of the Agency (then estimated approximately at 31 December 1959) in lieu of the reporting which would otherwise have been necessary as of 30 June 1959. The termination date has subsequently been revised to 30 June 1960.

United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (A/4383) and the voluntary funds administered by the United Nations High Commissioner for Refugees (A/4389). The Advisory Committee's reports relating to those programmes are contained in documents A/4411, A/4412, and A/4413, respectively.

3. In reviewing the several accounts and audit reports enumerated in the preceding paragraphs, the Advisory Committee has considered total gross expenditures (including unliquidated obligations) in 1959 for all the operations concerned of the order of some \$219 million as follows:

	<i>Approximate expenditure (millions of \$US)</i>
(a) United Nations regular budget	61.5
(b) Special Account of the Expanded Programme, United Nations participation and TAB secretariat	35.8 <sup>a</sup>
(c) United Nations Special Fund, United Nations as Executing Agency, and Managing Director's administrative budget.	33.1 <sup>b</sup>
(d) Suez Canal Clearance Operation	2.2 <sup>c</sup>
(e) United Nations Emergency Force	18.9
(f) United Nations Children's Fund	26.8 <sup>d</sup>
(g) United Nations Relief and Works Agency for Palestine Refugees	34.1
(h) Voluntary funds administered by the United Nations Commissioner for Refugees	6.2 <sup>e</sup>
	<hr/> 218.6 <hr/>

<sup>a</sup> Including \$26.3 million covering approved projects and budgets of other participating organizations and TAB secretariat.

<sup>b</sup> Including \$32.8 million reserved for approved projects and budgets, including expenditures on projects under other Executing Agencies.

<sup>c</sup> Consisting almost entirely of refunds (of advances) to Governments.

<sup>d</sup> Including \$3.0 million reserved for approved projects.

<sup>e</sup> Including \$1.1 million reserved for approved projects.

4. The Advisory Committee has also received a combined statement of assets and liabilities as at 31 December 1959 and a combined statement of income, expenditures and surplus accounts for the year 1959 covering all funds in the custody of the Secretary-General. This statement was prepared pursuant to an undertaking given at the 708th meeting of the Fifth Committee on 25 September 1959 and will be issued by the Secretary-General to the General Assembly at the time the accounts and audit reports are considered.

5. For its consideration of the accounts dealt with in this report, the Advisory Committee had before it, in addition to the reports of the Board of Auditors, a separate memorandum from the Board in which a number of points of detail concerning the financial administration of the Organization were brought to the Committee's attention. Annexed to the memorandum were four special papers which the Board had prepared at the Committee's request, dealing with the following matters:

(a) Revenue-producing activities;

(b) Payment of assignment allowance under Staff Rule 103.22;

(c) Status of funds under trust funds for projects related to technical assistance; and

(d) Disposition of supplies and equipment left over from the operation of the United Nations Observation Group in Lebanon.

The Advisory Committee wishes to place on record its high appreciation of the assistance rendered by the Board of Auditors in providing these informative annexes.

6. The information compiled by the Board in regard to the operations of the several revenue-producing activities has been extremely useful to the Advisory Committee in its examination of the 1961 estimates for those activities. The Committee has commented on those estimates in its report on the budget estimates for 1961. (A/4408).

7. As regards payment of the assignment allowances under Staff Rule 103.22, it appears from the Board's study that this rule is not as clearly stated as it might be. The correctness of the decision to grant such allowances in a certain number of cases in the past would seem to be in some doubt as a result. The Advisory Committee understands that directives have been issued to clarify the provisions in question and to prevent further doubtful application of the rule. The need for uniform practices on this point in the United Nations and the specialized agencies is also receiving the close attention of the several administrations.

8. The Board's study of the status of funds under trust funds related to technical assistance indicates that substantial obligations are still being incurred against such trust funds in advance of adequate receipts. At the end of 1958, such excess obligations amounted to some \$69,000; the corresponding amount at the end of 1959 was \$76,708. Factors contributing to this situation include delays in submission of bills and occasional difficulties in identifying purposes of payments made by Governments. The Advisory Committee is assured that continuing efforts are being made to obtain funds prior to the incurring of obligations. The Committee has also been informed that improved procedures have been developed for financial reporting in respect of all trust funds handled by technical assistance field offices.

9. The information provided by the Board on the disposition of supplies and equipment purchased in connexion with the United Nations Observation Group in Lebanon (UNOGIL) indicates that, at 31 December 1959, the balance of stock on hand amounted to \$238,087 (valued at cost price). Items valued at \$721,646 had been disposed of for a total income of \$598,156. It is expected that by the end of 1960, the majority of the remaining material will have been disposed of and that only certain items of radio equipment, for which there is no foreseeable demand at present, will remain on hand.

10. In examining the UNOGIL position, the Board found that the records maintained at Headquarters of non-expendable equipment bought for UNOGIL were incomplete. The reconciliation of these records with the relevant expenditure accounts therefore disclosed a sizeable discrepancy, mainly because of differences in the treatment of items as between budget accounts and inventory records. While recognizing that the UNOGIL operation was set up in circumstances of an emergency nature, the Advisory Committee trusts that, for the future, full advantage will be taken of the experience gained.

11. The Advisory Committee would invite special attention to paragraph 5 of the audit report relating to UNEF, in which the Board expresses its concern at the unsatisfactory financial position of the Special Account, illustrated by the fact that on 31 December 1959 unliquidated obligations totalled \$16.6 million.

12. In regard to the Special Account for the United Nations Suez Canal Clearance Operation and surcharge operation, the Advisory Committee notes that the final total of the expenditures for the clearance operation, after liquidation of the obligations outstanding as at 31 December 1958, is \$8,161,927. The unpaid balance of advances from Governments towards this operation was

in the amount of \$6,238,769 in January 1960. It is estimated that this loan will have been repaid in full at the end of the first quarter of 1961 and that the surcharge operation can be terminated at that time.

13. In its memorandum to the Advisory Committee, the Board has made special mention of the necessity for further strengthening of the professional staff of the Internal Audit Service. Under section 3 of the budget estimates for the financial year 1961 (A/4370), the Secretary-General has, in fact, included provision for such strengthening and the Advisory Committee's related comments are contained in its report on the estimates to the General Assembly. (A/4408, para. 126).

## **(b) United Nations Children's Fund (for the financial year ended December 31 1959)**

### **DOCUMENT A/4411**

#### **Report of the Advisory Committee on Administrative and Budgetary Questions**

*[Original text: English]  
[21 July 1960]*

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial report and accounts of the United Nations Children's Fund (UNICEF) for the year ended 31 December 1959 and the related report of the Board of Auditors (A/4382).

2. The financial position of the Fund on 31 December 1959 was:

	\$US
Principal of the Fund on 1 January 1959	33,332,640
Income from all sources during 1959	23,819,788
	<hr/>
	57,152,428
Expenditure during 1959	23,783,989
	<hr/>
Principal of the Fund on 31 December 1959	33,368,439
	<hr/>

3. Of the amount of \$33,368,439, a total of \$31,136,682 was committed—allocated by the Executive Board—and \$2,231,757 remained unallocated. The principal of the Fund shows an increase of \$35,799 as compared with the position at the end of 1958. Income from all sources in 1959 increased by \$812,187 over 1958, while expenditure increased by some \$1.3 million. The unallocated resources of \$2.2 million at 31 December 1959 represent a substantial decrease from the corresponding figure of \$5.2 million at 31 December 1958, reflecting the desire of the Executive Board to achieve more rapid use of UNICEF resources for programme aid.

4. Allocations unfulfilled at 31 December 1959 amounted to \$31.1 million, including \$13.2 million of allocations approved at the September 1959 session of the Executive Board, as compared with \$28.1 million at the end of 1958.

5. In reviewing the 1958 financial report of UNICEF, the Advisory Committee expressed the view that actual funds set aside for unfulfilled allocations appeared to be

on the high side in relation to the pace at which projects were implemented.<sup>2</sup> The Executive Board of UNICEF, at its September 1959 and March 1960 sessions, took various steps to put UNICEF resources into somewhat more rapid use. Thus, as was already the case with projects for malaria eradication, allocations for basic maternal and child services and milk conservation would in future be made on an annual basis, rather than for the full duration of the project. Furthermore, the Board decided (a) to entertain project requests up to nearly the full extent of unallocated funds at the end of each year; and (b) to allocate as at 31 December only half the funds required for operational services and administrative expenses for the following year, leaving the second half to be allocated in June. These changes were expected ultimately to reduce unspent allocations at the end of each year to a level sufficient to provide for programme expenditures for the next twelve months, as against fourteen months under the previous practice.

6. Administrative costs rose from \$1.50 million in 1958 to \$1.59 million in 1959, and the costs of operational services from \$1.56 million to \$1.87 million. However, as the volume of assistance (and consequently of total expenditure) also increased between the two years, the ratio of administrative costs to total expenditure showed a small decrease from 6.80 per cent in 1958 to 6.78 per cent in 1959; the ratio of operational services costs increased, nevertheless, from 7.08 per cent to 7.99 per cent.

7. The question of the services and facilities provided to UNICEF by the United Nations, to which reference was made in the report on the 1958 accounts of UNICEF,<sup>3</sup> has been included in a broader survey, pre-

<sup>2</sup> *Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 42, document A/4154, para. 4.*

<sup>3</sup> *Ibid.*, para. 7.

pared by the Office of the Controller, of the services and facilities provided to various extra-budgetary activities. The Advisory Committee will study this matter later in the year in conjunction with its review of administrative and budgetary co-ordination within the United Nations system.

#### UNICEF GREETING CARD FUND

8. The Advisory Committee notes with appreciation that there has been a further substantial increase in the number of cards sold and in the amount of net income, as indicated by the following table:

Year	Cards sold <sup>a</sup>	Cost per card sold <sup>a</sup> (cents (US))	Net income (\$US)	Transfer to general re- sources of UNICEF <sup>c</sup> (\$US)
1959	13,502,392	3.62	769,892	742,578
1958	10,235,966	4.99	660,812	400,000
1957	7,177,285	5.91	336,965	300,000

<sup>a</sup> Apart from cards produced by the United Nations Association in Canada (663,292 cards in 1959, 662,246 in 1958 and 420,000 in 1957).

<sup>b</sup> Cost per card includes staff costs, production costs, sales promotion and other expenses.

<sup>c</sup> The balance of net income is used to augment the working capital for the following year's activity.

### (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East (for the financial year ended 31 December 1959)

#### DOCUMENT A/4412

#### Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]  
[21 July 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial report and accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the year ended 31 December 1959 and the related report of the Board of Auditors (A/4383).

2. The income and expenditure experience in 1959 may be summarized as follows:

<i>Income</i>	
Contributions from Governments	\$US 32,553,673
Contributions from others	402,918
Miscellaneous income.	438,148
Add: Exchange adjustments	564,139
	33,958,878
<i>Expenditure</i>	34,138,380
Excess of expenditure over income	179,502

This excess expenditure, offset in part by adjustments for prior years in the amount of \$110,688, decreased the working capital available to the Agency from \$22,199,920 at 1 January 1959 to \$22,131,106 at 31 December 1959.

3. Pursuant to General Assembly resolution 594 (VI) of 4 February 1952, the Advisory Committee has inquired into a number of administrative and financial matters concerning UNRWA, including, in particular, those to which the Board of Auditors has drawn attention in its report.

4. The review of the financial rules of the Agency, to which attention was drawn in the Advisory Committee's report on the audit of the Agency as at the end of 1958,<sup>4</sup> was completed in December 1959 in consultation with the Committee. Modifications introduced in the rules include a clear provision of authority to the Director of the Agency to carry over unused budget amounts of one year, relating to purposes other than recurrent operating costs, as additions to the budget of the following

year; such clear authority had been lacking in the previous rules. The Committee has confirmed that the Director is following a strict interpretation of the revised rule and that only items of a clearly non-recurrent nature have been carried forward from 1959 to 1960.

5. As regards the comments of the Board of Auditors, in paragraph 5 of its report concerning overspending of budgetary provisions under some headings, the Advisory Committee notes that, taking into account amounts carried forward from 1958 to 1959 and from 1959 to 1960, the total amount expended in 1959 or carried forward is \$36,545,252, which is \$2,349,752 less than the approved 1959 budget of \$38,895,004.

6. In its 1959 report,<sup>5</sup> the Advisory Committee expressed the hope that the review of local salaries, which the Agency was planning, would be undertaken in close collaboration with the United Nations Secretariat, some of whose staff members are also located in the Near East. The Committee understands that UNRWA employs more than 10,000 local staff in categories not strictly comparable to the United Nations system. In view of this fact, the review was undertaken on an independent basis; nevertheless, the results of the review are being made available to the Controller of the United Nations since the decisions of the Agency in this matter may have an impact in respect of the small number of local staff employed in the area by the United Nations.

7. The Advisory Committee observed last year,<sup>6</sup> that annual losses on equipment and supplies, although representing a very small fraction of the total volume of such items handled annually by the Agency, were substantial enough to suggest the need for strengthening administrative and financial controls in respect of stores and warehousing. The Committee notes from the Board's report that the Agency has taken steps to improve the situation in this regard.

<sup>4</sup> *Ibid.*, para. 5.

<sup>6</sup> *Ibid.*, para. 6.

<sup>4</sup> *Ibid.*, document A/4155, para. 4.

**(d) Voluntary funds administered by the United Nations High Commissioner for Refugees  
(for the financial year ended 31 December 1959)**

**DOCUMENT A/4413\*\***

**Report of the Advisory Committee on Administrative and Budgetary Questions**

[Original text: English]  
[21 July 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial report and accounts of the voluntary funds administered by the United Nations High Commissioner for Refugees, for the year ended 31 December 1959 and the related report of the Board of Auditors (A/4389).

2. The consolidated summary operating statement covering all voluntary, restricted and trust funds (*Ibid.*, exhibit A) shows the following picture for 1959:

	\$US	\$US
Surplus at 31 December 1958 plus adjustments	1,815,796	
Contributions and other income	7,281,071	9,096,867
Less:		
Obligations liquidated by disbursement	3,204,354	
Unliquidated obligations	2,344,788	
Reserves	1,129,999	6,679,141
		2,417,726

3. In its report the Board of Auditors has again stressed the need to improve the pace of financial reporting in respect of the projects for which funds are

provided by the High Commissioner. At 31 December 1959, excluding projects financed from restricted funds, 388 projects amounting to some \$12.8 million, out of a total of 834 projects amounting to some \$27.3 million, had been reported on for purposes of audit. Of the remaining 446 projects (\$14.5 million), final financial reporting was stated to be overdue on 278 projects totalling some \$10 million. While this is indicative of some improvement in the situation, continuing efforts should be made to obtain earlier financial reporting on projects.

4. The Board of Auditors has also referred to the impact of the steadily increasing activities of the Office of the High Commissioner on the accounts, and has suggested that efforts should be made to simplify the accounts as much as possible. The Advisory Committee recognizes that the High Commissioner administers a variety of funds on which he has to report to a number of different sources. The Committee would hope, nevertheless, that in the interests of the smooth operation of a relatively complex programme, careful attention will be given to the possibilities for a simplification of accounts and financial procedures. The recent strengthening of the administrative and financial services of the Office of the High Commissioner would facilitate this process in which assistance might also be provided, as appropriate, by the Office of the Controller.

\*\* Incorporating document A/4413/Corr.1.

**(e) United Nations Korean Reconstruction Agency (liquidation and final accounts)**

**DOCUMENT A/4525**

**Report of the Advisory Committee on Administrative and Budgetary Questions**

[Original text: English]  
[1 October 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the final financial report and accounts covering the operations of the United Nations Korean Reconstruction Agency (UNKRA) from the date of inception of the Agency (1 December 1950) to the date of closure (31 August 1960), and the related report of the Board of Auditors (A/4516).

2. It will be recalled that, as noted in General Assembly resolution 1433 (XIV) of 5 December 1959, the termination of the Agency's operations had been scheduled for 31 December 1959. Owing to unforeseen circumstances and difficulties, the closure could only be completed as at 31 August 1960 and the Agency was regarded as still being in existence until the latter date. It is a matter for some satisfaction that, despite the obstacles encountered, it has now proved possible to effect the closure and to put into effect the arrangements and procedures approved in General Assembly resolutions 1159 (XII) and 1433 (XIV) for the residual responsibilities of the Agency and the liquidation of its accounts.

3. The financial report is cast in the form of a summary, with supporting schedules, which presents the complete financial history of the Agency from its inception on 1 December 1950 to its closure on 31 August 1960. The broad lines of the income and expenditure experience during this period are indicated as follows:

<b>Income</b>		\$US
Government contributions		142,763,891
Miscellaneous income		7,926,211
		150,690,102
<b>Expenditure</b>		148,899,738
<b>Funds transferred</b>		\$US
United Nations Educational, Scientific and Cultural Organization	807,826	
United Nations	982,538	1,790,364
		150,690,102

4. The financial report shows that on 31 August 1960 no assets or liabilities remained and accordingly no balance sheet has been provided. At the same time, the following two residual accounts have been established:<sup>7</sup>

(a) An UNKRA liquidation account to which \$24,066.89 was transferred to meet certain residual staff costs and administrative liabilities;

(b) An UNKRA Medical Service Plan account to which \$16,461.50 was transferred to meet any claims which might arise after 31 August 1960, considering that the rules of the Medical Plan provide that staff members' benefits, under certain conditions, would continue for a limited period beyond the date of termination.

5. A subsequent report will be made to the United Nations Board of Auditors on the utilization of the funds in the UNKRA liquidation account and the disposition of any remaining balance. In the case of the Medical Service Plan account, it has been arranged that any balance remaining will in due course be transferred to the Tongnae Rehabilitation Centre in Korea.

6. The Advisory Committee would also draw attention to the fact that, as reported in paragraph 30 of the financial report, there remained in the UNKRA counterpart account, at the closure of the Agency, over 1,000 million hwan (over \$1.5 million). Moreover, this sum will be greatly increased by eventual payments from purchasers of UNKRA plants who are meeting their liabilities on a deferred basis. The total of the latter receipts is estimated to amount to over 22,000 million hwan (about \$34 million). The total residual assets remaining in the

<sup>7</sup> The amounts transferred to these accounts are included as expenditures in the main accounts of UNKRA as at 31 August 1960.

counterpart account will therefore be equivalent to some \$35.5 million.

7. In explanation of the origin and purpose of the counterpart account, the Advisory Committee would recall that the United Nations aid programme in Korea was operated under an agreement whereby the Korean Government took title to all goods immediately on delivery to Korea. In compensation, the Government placed in the UNKRA Counterpart Account an amount in local currency, equivalent to the dollar landed cost. The Government funded this account by means of an overdraft with the National Bank, the overdraft being retired by cash collected from the sale of goods imported by UNKRA. It was also agreed that the counterpart account and the overdraft account would be correspondingly reduced by the value of goods imported for direct government projects and issued free of charge. The net value of the counterpart account, after offset of the bank overdraft, was used to finance local labour and costs of materials for Agency projects. The Agency was moreover entitled to withdraw a maximum of 5 per cent of all funds placed in the counterpart account, to meet its administrative costs in Korea.

8. The Advisory Committee notes that, by an exchange of letters signed by the Government of the Republic of Korea on 12 August 1960, the Agency relinquished its co-ordinate control of the counterpart account to the Government. It has been agreed that the first call on the residual funds will be an allocation of local currency, for periods ranging from three to five years, for four specified Agency projects. The balance will be utilized by the Government within the concept of the Agency's programme. The Government has also agreed to make an annual report to the Secretary-General of the United Nations on the use of the fund for a period of three years.

## DOCUMENT A/4552

### Report of the Fifth Committee

[Original text: English]  
[27 October 1960]

1. At its 766th meeting, held on 11 October 1960, the Fifth Committee considered the financial reports and accounts and the reports of the Board of Auditors for the United Nations (A/4380), the United Nations Children's Fund (UNICEF) (A/4382), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (A/4383), the Voluntary Funds administered by the United Nations High Commissioner for Refugees (A/4389) and the United Nations Korean Reconstruction Agency (UNKRA) (A/4516). The Committee also had before it five reports (A/4410, A/4411, A/4412, A/4413, A/4525) of the Advisory Committee on Administrative and Budgetary Questions in which that Committee drew attention to certain points arising from the accounts and the audit reports and made observations and recommendations relating thereto. A member of the Board of Auditors, a Deputy Executive Director of UNICEF and the Director of UNRWA were present during the discussion.

2. In the discussion in the Fifth Committee, particular attention was drawn, in connexion with the United Nations accounts, to the unsatisfactory cash position of the Organization attributable in the main to the arrears

on assessments for the United Nations Emergency Force. It was also emphasized that where the Organization undertakes technical assistance activities on behalf of and at the expense of a government, steps should be taken to ensure that adequate funds are obtained from the government before obligations are incurred.

3. Upon consideration of the relevant accounts, a tribute was paid to the work of the Office of the United Nations High Commissioner for Refugees.

4. The Committee wishes to place on record its appreciation of the services rendered to the Organization by the Board of Auditors.

### Recommendations of the Fifth Committee

5. The Fifth Committee decided to recommend to the General Assembly the adoption of the draft resolutions below. The draft resolutions were adopted by the Fifth Committee as follows: draft resolution I, by 46 votes to none, with 8 abstentions; draft resolutions II, III and IV, unanimously; draft resolution V, by 50 votes to none, with 18 abstentions.

*Draft resolution I*

UNITED NATIONS: FINANCIAL REPORTS AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1959 AND REPORTS OF THE BOARD OF AUDITORS

[Text adopted by the General Assembly without change. See "Action by the General Assembly" below.]

*Draft resolution II*

UNITED NATIONS CHILDREN'S FUND: FINANCIAL REPORTS AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1959 AND REPORT OF THE BOARD OF AUDITORS

[Text adopted by the General Assembly without change. See "Action by the General Assembly" below.]

*Draft resolution III*

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST: ACCOUNTS

FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1959 AND REPORT OF THE BOARD OF AUDITORS

[Text adopted by the General Assembly without change. See "Action by the General Assembly" below.]

*Draft resolution IV*

VOLUNTARY FUNDS ADMINISTERED BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES: ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1959 AND REPORT OF THE BOARD OF AUDITORS

[Text adopted by the General Assembly without change. See "Action by the General Assembly" below.]

*Draft resolution V*

UNITED NATIONS KOREAN RECONSTRUCTION AGENCY: FINAL FINANCIAL REPORT AND ACCOUNTS AND REPORT OF THE BOARD OF AUDITORS

[Text adopted by the General Assembly without change. See "Action by the General Assembly" below.]

### ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 954th plenary meeting, on 18 December 1960, the General Assembly adopted draft resolutions I to V submitted by the Fifth Committee (A/4552, para. 5). For the final texts, see resolutions 1543 (XV), 1544 (XV), 1545 (XV), 1546 (XV), and 1547 (XV) below.

#### Resolutions adopted by the General Assembly

1543 (XV). UNITED NATIONS: FINANCIAL REPORTS AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1959 AND REPORTS OF THE BOARD OF AUDITORS

##### *The General Assembly*

1. *Accepts* the financial reports and accounts of the United Nations for the financial year ended 31 December 1959 and the certificates of the Board of Auditors (A/4380);

2. *Concurs* in the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its third report to the General Assembly at its fifteenth session (A/4410).

*954th plenary meeting,  
18 December 1960.*

1544 (XV). UNITED NATIONS CHILDREN'S FUND: FINANCIAL REPORT AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1959 AND REPORT OF THE BOARD OF AUDITORS

##### *The General Assembly*

1. *Accepts* the financial report and accounts of the United Nations Children's Fund for the financial year ended 31 December 1959 and the certificates of the Board of Auditors (A/4382);

2. *Takes note* of the observations of Advisory Committee on Administrative and Budgetary Questions as set forth in its fourth report to the General Assembly at its fifteenth session (A/4411).

*954th plenary meeting,  
18 December 1960.*

1545 (XV). UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST: ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1959 AND REPORT OF THE BOARD OF AUDITORS

##### *The General Assembly*

1. *Accepts* the accounts of the United Nations Relief and Works for Palestine Refugees in the Near East for the financial year ended 31 December 1959 and the certificates of the Board of Auditors (A/4383);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its fifth report to the General Assembly at its fifteenth session (A/4412).

*954th plenary meeting,  
18 December 1960.*

1546 (XV). VOLUNTARY FUNDS ADMINISTERED BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES: ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1959 AND REPORT OF THE BOARD OF AUDITORS

##### *The General Assembly*

1. *Accepts* the accounts of the voluntary funds administered by the United Nations High Commissioner for Refugees for the financial year ended 31 December 1959 and the certificates of the Board of Auditors (A/4389);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its sixth report to the General Assembly at its fifteenth session (A/4413).

*954th plenary meeting,  
18 December 1960.*

1547 (XV). UNITED NATIONS KOREAN RECONSTRUCTION AGENCY: FINAL FINANCIAL REPORT AND ACCOUNTS, AND REPORT OF THE BOARD OF AUDITORS

*The General Assembly*

1. *Accepts* the final financial report and accounts covering the operation of the United Nations Korean Reconstruction Agency from the date of inception, 1 De-

cember 1950, to the date of closure, 31 August 1960, and the certificates of the Board of Auditors (A/4516);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its twelfth report to the General Assembly at its fifteenth session (A/4525).

*954th plenary meeting,  
18 December 1960.*

## CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 48 which are not reproduced in the present fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4370	Budget estimates for the financial year 1961 and information annexes	<i>Official Records of the General Assembly, Fifteenth Session, Supplement No. 5</i>
A/4380	Financial reports and accounts for the year ended 31 December 1959 and reports of the Board of Auditors: United Nations and its Trust Funds and Special Accounts; United Nations Assistance and its participation in the Expanded Programme of Technical Assistance for Economic Development of Underdeveloped Countries and the Technical Assistance Board secretariat; United Nations Suez Canal Clearance Operation and Surcharge Operation; Special Account of the United Nations Emergency Force; Special Fund: United Nations as Executing Agency and the Administrative Budget of the Managing Director	<i>Ibid., Supplement No. 6</i>
A/4382	United Nations Children's Fund: financial report and accounts for the year ended 31 December 1959 and report of the Board of Auditors	<i>Ibid., Supplement No. 6A</i>
A/4383	United Nations Relief and Works Agency for Palestine Refugees in the Near East: accounts for the year ended 31 December 1959 and report of the Board of Auditors	<i>Ibid., Supplement No. 6B</i>
A/4389	Voluntary funds administered by the United Nations High Commissioner for Refugees: accounts for the year ended 31 December 1959 and report of the Board of Auditors	<i>Ibid., Supplement No. 6C</i>
A/4408	First report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., Supplement No. 7</i>
A/4516	United Nations Korean Reconstruction Agency: final financial report and accounts covering the operation of the Agency from the date of inception, 1 December 1950, to the date of closure, 31 August 1960, and report of the Board of Auditors	<i>Ibid., Supplement No. 6D</i>
A/C.5/817	Financial reports and accounts for the year 1959: note by the Secretary-General	Mimeographed
A/C.5/L.612	Draft report of the Fifth Committee	Same text as A/4552



**Agenda item 49: Supplementary estimates for the financial year 1960\*\***

**C O N T E N T S**

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<b>Supplementary reports</b>		
SECTIONS 6 AND 11		
<i>Post classifications for United Nations Headquarters, New York, and the European Office, Geneva</i>		
A/C.5/816	Report of the Secretary-General.....	14
A/4507	Report of the Advisory Committee on Administrative and Budgetary Questions.....	21
SECTIONS 4, 6, 7 AND ESTIMATES OF INCOME		
<i>Salary scales for General Service staff at United Nations Headquarters, and at the European Office, Geneva</i>		
A/C.5/849	Report of the Secretary-General.....	23
A/4632	Report of the Advisory Committee on Administrative and Budgetary Questions .....	24
<b>Part II of the supplementary estimates for the financial year 1960</b>		
A/4492/Add.1	Report of the Secretary-General.....	25
A/4653	Report of the Advisory Committee on Administrative and Budgetary Questions .....	26
* * *		
A/4675	Report of the Fifth Committee.....	26
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\* Documents relating to the 1960/1961 expenses of the United Nations operations in the Congo (ONUC) appear in a separate fascicle.

\*\* For the discussion of this item, see *Official Records of the General Assembly, Fifteenth Session, Fifth Committee, 763rd to 765th, 816th, 822nd, and 824th meetings; and ibid., Plenary Meetings, 960th meeting.*

**PART I OF THE SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1960**

**DOCUMENT A/4492**

**Report of the Secretary-General**

[Original text: English]  
[21 September 1960]

1. The General Assembly, by resolution 1443 (XIV) of 5 December 1959, voted appropriations totalling \$63,149,700. The present revised estimates cover requirements totalling \$65,127,950, an increase of \$1,978,250. Income other than staff assessment, approved at \$5,357,500, is now estimated at \$5,390,000, an increase of \$32,500; staff assessment income, approved at \$6,329,000, is now estimated at \$6,575,000, an increase of \$246,000.

2. The revised expenditure estimates do not cover the financial implications of any upward adjustment in

1960 in the post classification for New York and Geneva which the General Assembly might approve after examining the Secretary-General's report on this matter (A/C.5/816). That report indicates that a movement to the next higher post adjustment level effective at New York from 1 January 1960 (Class 6 to Class 7) and at Geneva effective 1 May 1960 (Class 2 to Class 3) would require an additional budgetary provision of \$340,000. Some provision may also be needed to adjust General Service salary scales at New York. A review of the relationship of such scales to prevailing local

salaries is now being made and its results will be communicated to the General Assembly as soon as possible.

3. Neither do the revised estimates herewith submitted attempt to provide for any 1960 costs in connexion with United Nations activities in the Republic of the Congo, in implementation of Security Council resolutions of 14 July 1960, 22 July 1960 and 9 August 1960<sup>1</sup> and General Assembly resolution 1474 (ES-IV) of 20 September 1960.

4. The additional requirements which lead to the revised estimates may be summarized as follows:

	United States dollars
(a) Unforeseen and extraordinary expenses authorized under paragraph 1 of General Assembly resolution 1444 (XIV) with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions	461,350
(b) Unforeseen and extraordinary expenses authorized by the Secretary-General under paragraph 1(a) of General Assembly resolution 1444 (XIV)	652,000
(c) Unforeseen expenses authorized under paragraph 1(b)(i) of General Assembly resolution 1444 (XIV)	24,000
(d) Expenses arising from the application of the Staff Rules and Regulations	615,050
(e) Other additional requirements (Special Missions, \$280,500; additional expenses arising from Security Council and General Assembly, \$234,000; contractual wage and rate increases, \$140,000; others, \$73,500)	728,000
<b>TOTAL</b>	<b>2,480,400</b>

The supplementary appropriation is presented at approximately \$500,000 below this total by reason of the following developments. For certain activities, expenditure is envisaged at a level lower than that provided in the existing 1960 appropriations. Notable among reduced requirements are the following: the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration (section 4: \$75,000); salaries and wages (section 6: \$136,000); travel of staff to meetings (section 8: \$37,000); interim arrangements for the Library (section 13: \$64,000); major maintenance and capital improvement at Headquarters (section 15: \$50,000). It also appears that an amount of \$800,000, rather than \$1,013,300 as appropriated, will meet the 1960 requirement of the Economic Commission for Africa (section 10). It should also be noted that the increase shown in respect of the Office of the United Nations High Commissioner for Refugees is almost wholly matched by an increase in income.

<sup>1</sup> Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960, documents S/4387, S/4405 and S/4426, respectively.

5. During the year the Advisory Committee on Administration and Budgetary Questions has been kept informed of developments affecting the budget. In addition to those unforeseen and extraordinary expenses incurred with the prior concurrence of the Advisory Committee, reports have been submitted to the Committee on those expenses authorized by the Secretary-General under paragraph 1 (a) of resolution 1444 (XIV); further, a report on the status of the appropriations was submitted to and discussed with the Committee early in its summer session, and a more detailed mid-year review was submitted towards the end of that session. At the time of the mid-year review, as noted by the Advisory Committee in its report on the 1961 budget estimates (A/4408) net additional requirements of some \$1,770,000 were indicated; the main elements of the difference of \$210,000 between that figure and the present estimate are: (a) provision for the full year for the Conference on the Discontinuance of Nuclear Weapons Tests—the previous estimate covered requirements to 30 September 1960; (b) additional requirements resulting from the recent schedule of meetings of the Security Council and the related high level of activity; and (c) the additional requirements foreseen for special arrangements for the fifteenth session of the General Assembly. A further substantial factor is the present estimate for recruitment, transfer and separation expenses under the common staff costs section which shows a sharp increase over the amount previously anticipated.

6. The following part of this report sets out the revised estimates by sections; annex I gives, in greater detail, the additional requirements summarized under paragraph 4 above; and there is attached as annex II a draft supplementary appropriation resolution for 1960. The amounts included in the draft resolution are based on the additional requirements specified in the present report.

#### PART I. SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS, COMMISSIONS AND COMMITTEES; SPECIAL MEETINGS AND CONFERENCES

##### Section 1. Travel of representatives, members of Commissions and Committees

	United States dollars
Revised estimate	841,900
Appropriation	832,600
Obligations to 31 July 1960	700,602 <sup>a</sup>

<sup>a</sup> The figures shown in this report as "Obligations to 31 July 1960" represent expenditures and outstanding obligations at that date, with the exception of expenses incurred at smaller field offices which are included as at 30 June 1960.

7. The revised estimates for section 1, by chapter, are as follows:

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1960
United States dollars			
I. The General Assembly Commissions and Committees	640,900	626,600	553,567
II. The Security Council, Commissions and Committees	—	—	—
III. The Economic and Social Council, Commissions and Committees	156,000	156,000	106,456
IV. The Trusteeship Council, Commissions and Committees	45,000	50,000	40,579
<b>TOTAL</b>	<b>841,900</b>	<b>832,600</b>	<b>700,602</b>

8. The increase of \$14,300 under chapter I relates to the expenses of the Committee of Experts on the Review of the Activities and Organization of the Secretariat (General Assembly resolution 1446 (XIV)), for which no provision was included in the 1960 budget. The Committee has held two sessions in 1960; expenses totalling \$14,300 have been incurred, with the prior concurrence of the Advisory Committee, for the travel and subsistence costs of the members of the Committee of Experts.

9. While no provision was included for the expenses (some \$10,000 for travel and subsistence of members) of the Committee on Programme Appraisals authorized under Economic and Social Council resolutions 665 C (XXIV) and 694 D (XXVI), it is anticipated that these additional costs can be met from minor savings under other items.

10. Requirements for the 1960 Visiting Mission to East Africa are some \$5,000 below the provision made.

11. The admission of new Members by the General Assembly at its fifteenth session will give rise to additional requirements under chapter I for travel of representatives, at an average of \$6,000 approximately for each new Member State, not provided for in these estimates.

### Section 2. Special meetings and conferences

	United States dollars
Revised estimate .....	651,300
Appropriation .....	62,300
Obligations to 31 July 1960 .....	438,077

12. The revised estimates provide for the following requirements:

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1960
United States dollars			
I. United Nations Conference on the Law of the Sea .....	46,000	46,000	36,423
II. United Nations International Conference on the Peaceful Uses of Atomic Energy .....	19,000	—	12,582
III. United Nations Congress on the Prevention of Crime and Treatment of Offenders .....	16,300	16,300	12,951
Conference on the Discontinuance of Nuclear Weapons Tests .....	410,000	—	217,062
Ten-Nation Committee on Disarmament .....	160,000	—	159,059
TOTAL	651,300	62,300	438,077

13. *United Nations Conference on the Law of the Sea.* The second United Nations Conference on the Law of the Sea was extended for ten days beyond the scheduled date of closure. This resulted in additional expenses of some \$10,000 for temporary assistance and for subsistence of staff detailed from Headquarters. There will be some savings on printing expenses, since the Conference did not result in agreement on a Final Act. On the other hand, the Conference adopted a resolution recommending that the General Assembly approve at its fifteenth session "the necessary budget appropriations for the publication . . . of a complete verbatim record of the discussions at the second United Nations Conference on the Law of the Sea". Pending the decision of the General Assembly on this point, the estimated requirements are maintained at the approved level.

14. *United Nations International Conference on the Peaceful Uses of Atomic Energy.* At the time of the submission of the supplementary estimates for 1959, it was foreseen<sup>2</sup> that some expenses for the completion of the printing of the proceedings of the second United Nations International Conference on the Peaceful Uses of Atomic Energy might not be changeable to the 1959 budget, but rather to the 1960 budget in which no provision had been made for this purpose. It was proposed to report the details of such requirements for the concurrence of the Advisory Committee, and it was expected that any such requirements would be fully offset by savings in the 1959 provision. The Advisory Committee concurred in 1960 expenses for this purpose not to exceed the unspent portion, \$19,647, of the 1959 credit for the Conference.

15. *Conference on the Discontinuance of Nuclear Weapons Tests.* The Conference reconvened at Geneva

on 4 January 1960, recessed on 26 August, and is scheduled to resume sessions on 27 September 1960. The expenses for this Conference have been incurred by the Secretary-General under paragraph 1 (a) of General Assembly resolution 1444 (XIV). The estimate now submitted takes into account expenditures to the time of adjournment and provides for some three months' further meetings. Average monthly requirements during this later period will be higher than those for the first part of the year, as Headquarters staff servicing the Conference will have to be replaced during the General Assembly.

16. *Ten-Nation Committee on Disarmament.* The expenses for the Conference of this Committee at Geneva have been incurred by the Secretary-General under paragraph 1 (a) of General Assembly resolution 1444 (XIV). As the meetings ended on 28 June 1960, the estimate represents actual expenditures.

### Section 3. Board of Auditors

	United States dollars
Revised estimate .....	58,000
Appropriation .....	53,000
Obligations to 31 July 1960 .....	5,306

17. Increased costs in connexion with the audits are expected to increase the requirements under section 3 by some \$5,000.

## PART II. SPECIAL MISSIONS AND RELATED ACTIVITIES

### Section 4. Special missions and related activities

	United States dollars
Revised estimate .....	2,929,000
Appropriation .....	2,523,300
Obligations to 31 July 1959 .....	1,648,207

<sup>2</sup> Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 43, document A/4195, para. 23.

18. The revised estimates for the various activities provided for under this section are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1960</i>
<i>United States dollars</i>			
I. United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration	77,000	152,700	59,881 <sup>a</sup>
II. United Nations Military Observer Group in India and Pakistan	432,000	431,500	298,450
III. United Nations Representative for India and Pakistan	33,000	32,400	18,766
IV. United Nations Conciliation Commission for Palestine	57,000	57,000	25,194
V. United Nations Truce Supervision Organization in Palestine	1,438,000	1,438,000	896,696
VI. Plebiscites for the Trust Territory of the Cameroons Under United Kingdom administration	193,000	106,700	18,799
VII. United Nations Memorial Cemetery in Korea	55,000	55,000	24,365
VIII. United Nations Commission for the Unification and Rehabilitation of Korea	169,000	148,500	93,522
IX. Replacement of staff assigned to field missions	120,000	101,500	67,015
X. Expenses arising from General Assembly resolution 1237 (ES-III)	82,000	—	44,422
XI. United Nations Representative on Hungary	13,000	—	5,992
XII. United Nations activities in Laos	260,000	—	95,105
<b>TOTAL</b>	<b>2,929,000</b>	<b>2,523,300</b>	<b>1,648,207</b>

<sup>a</sup> Field mission to the end of June 1960 only.

19. The revised estimates include three items amounting to \$181,300 which have been authorized in accordance with the provisions of General Assembly resolution 1444 (XIV) relating to unforeseen and extraordinary expenses and have been previously notified to the Advisory Committee. For the fourth item, the United Nations activities in Laos, detailed estimates amounting to \$260,000 are submitted under this section. The Secretary-General informed the Advisory Committee that the relevant expenses for these latter activities might be substantially covered by curtailment of expenses under other headings, or in savings falling elsewhere in the budget. The unforeseen items are as follows:

(a) An additional sum of \$86,300 is required in 1960 in connexion with a further plebiscite in the Northern Cameroons recommended under General Assembly resolution 1473 (XIV). A detailed justification of the total 1960/1961 expenditure estimate is to be found in section 18, chapter IV, of the 1961 budget estimates (A/4370).

(b) The Office of the Special Representative of the Secretary-General established in Amman, Jordan, in accordance with General Assembly resolution 1237 (ES-III), is being maintained during 1960 on a reduced basis at an estimated cost of \$82,000. It is now staffed and operated on the scale provided for and described in section 18, chapter V of the 1961 budget estimates.

(c) By its resolution 1454 (XIV) the General Assembly requested the United Nations Representative on Hungary to continue his efforts. On the basis of prior experience, it is estimated that \$13,000 will be required to cover his honoraria, subsistence and travel costs.

(d) Prior to the decision of the Security Council of 7 September 1959<sup>3</sup> to appoint a Sub-Committee of the Council to inquire into the situation in Laos and report to the Council, the Secretary-General had engaged in informal studies and consultations regarding the possibilities open to the Organization to be of assistance to Laos regarding difficulties that had arisen on some of its frontiers.

After the Sub-Committee had submitted its report, the Secretary-General, in continuation of his earlier efforts, visited Laos at the invitation of the Government (12-19 November 1959) to provide himself with independent and full knowledge of the problem. Among actions undertaken at the time was the dispatch of the Executive Secretary of the Economic Commission for Europe to follow up the discussions initiated by the Secretary-General and to review the economic situation of Laos, in particular the role of economic and technical assistance rendered by the United Nations for furthering the country's economic growth and stability. The Executive Secretary's report was submitted in the first half of December 1959; it set forth detailed recommendations for co-ordinated action by the United Nations and the specialized agencies to assist Laos. On 20 February 1960 a Special Consultant to the Secretary-General was appointed for the co-ordination of United Nations activities in Laos. The staff of his mission consists of a Principal Secretary, an administrative officer, three secretaries and three Field Service staff, all of whom have been detailed from the regular establishment, and nineteen local re-

<sup>3</sup> Official Records of the Security Council, Fourteenth Year, Supplement for July, August and September 1959, document S/4216.

cruits who serve as drivers, clerical staff, and messengers and maintenance men. The total cost of this group during 1960 is estimated to be \$260,000, which will be spent for the following items:

	<i>United States dollars</i>
(i) Salaries of staff recruited for the mission	69,000
(ii) Subsistence and travel of staff internationally recruited for the mission and detailed from established offices	80,000
(iii) Rental and maintenance of premises	41,000
(iv) Rental and maintenance of vehicles	10,000
(v) Communications, freight, supplies and services	12,000
(vi) Purchase of furniture, fixtures and equipment	30,000
(vii) Purchase of vehicles	18,000
<b>TOTAL</b>	<b>260,000</b>

20. Excluding the four unforeseen items dealt with above, the revised estimates for section 4 show a net saving of \$35,600 on the approved estimates, which arises from estimated savings of \$75,700 in connexion with the termination of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration on 1 July 1960, that are offset in part by estimated increases as follows:

(a) The approved estimates for the United Nations Commission for the Unification and Rehabilitation of Korea provided for the observation of the national elections in March 1960 by a committee of four members of UNCURK normally stationed in Seoul. The decision to hold further national elections in July 1960 caused the Committee to recommend that observation be on a wider scale and four temporary observers were appointed for this purpose (\$3,000). An unbudgeted plenary meeting of the Commission was held in August during which a further plenary meeting was scheduled for September

1960 in recognition of the importance of such a meeting at that time in discharging the responsibilities entrusted to the Commission by the General Assembly (\$3,500). The committee of four members was increased by the addition of an alternate member, and the representative of one Government was recalled and replaced, in addition to the normal annual rotation (\$9,000). The increased activity of the Commission led the Secretary-General to supplement the authorized establishment by detailing one Professional officer from Headquarters and by employing one Field Service secretary (\$3,000). Additional local recruits have been engaged as drivers and interpreters in connexion with the observation of the elections and there has been a consequent increase in the expenses for the operation of vehicles (\$2,000). The total of these increased requirements for the Commission is thus estimated to be \$20,500.

(b) In the mid-year review of the 1960 budget, the Secretary-General foresaw that, although the costs for the replacement of staff assigned to missions were running at an annual rate of \$120,000, this expenditure would be curtailed during the latter part of 1960. Subsequently, assignments of regular staff to the Congo have reached such proportions that departments asked to assign staff to missions such as the plebiscites for the Cameroons are compelled to request replacements that they would have done without in more normal circumstances. Accordingly, no reduction is now foreseen in the current annual expenditure rate of \$120,000.

#### *Section 5. United Nations Field Service*

	<i>United States dollars</i>
Revised estimate	1,206,800
Appropriation	1,206,800
Obligations to 31 July 1960	715,336

21. The revised estimates are maintained at the approved levels:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1960</i>
<i>United States dollars</i>			
I. Salaries and wages	801,000	801,000	448,644
II. Common staff costs	380,500	380,500	250,374
III. General expenses	22,800	22,800	16,318
IV. Permanent equipment	2,500	2,500	—
<b>TOTAL</b>	<b>1,206,800</b>	<b>1,206,800</b>	<b>715,336</b>

### **PART III. THE SECRETARIAT**

#### *Section 6. Salaries and wages*

	<i>United States dollars</i>
Revised estimate	32,214,700
Appropriation	31,921,200 <sup>a</sup>
Obligations to 31 July 1960	18,226,705

<sup>a</sup> After transfer of \$4,000 to section 12, World Refugee Year, with prior concurrence of the Advisory Committee on Administrative and Budgetary Questions under authority contained in paragraph 3 (b) of General Assembly resolution 1443 (XIV).

## 22. The revised estimates by chapter are as follows:

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1960
<i>United States dollars</i>			
I. Established posts . . .	30,415,000	31,555,000	17,421,999
III. Temporary assistance (including consultants)	1,313,500		605,204
	31,728,500	31,555,000	18,027,203
II. Overtime and night differential . . .	486,200	366,200	199,502
TOTAL	32,214,700	31,921,200 <sup>a</sup>	18,226,705

<sup>a</sup> After transfer of \$4,000 to section 12, World Refugee Year, with prior concurrence of the Advisory Committee on Administrative and Budgetary Questions under authority contained in paragraph 3 (b) of General Assembly resolution 1443 (XIV).

23. Excluding those items referred to in paragraph 25 below, the estimated additional requirements under section 6 are \$293,500, accounted for by additional costs estimated at \$429,600 which have arisen since the time of the preparation of the estimates, offset by savings of \$136,100 which it is anticipated it may be possible to achieve in the original estimates.

24. The additional costs of \$429,600 taken into account in the revised estimates (some of which are also referred to in section 3 of the estimates for 1961), are:

(a) The increase in manual worker salary rates at Headquarters (4 per cent), effective 1 April 1960 (\$29,100) and the increase in General Service and manual worker salary rates (5 per cent) at Geneva, effective 1 May 1960 (\$71,100);

(b) The change in post classifications for Santiago, Chile, and Mexico City (Economic Commission for Latin America) effective 1 January 1960, as further amended in each case on 1 July 1960, as compared with the post classifications on which the 1960 provisions were made (\$82,400); and an increase in local level General Service rates, effective from 1 January 1960, as influenced by exchange rate/cost-of-living relationships (\$57,000);

(c) Additional requirements estimated at \$10,000 for temporary assistance and consultant services in connexion with the comprehensive review of the United Nations Joint Staff Pension Fund; and

(d) Costs incurred and anticipated as related to the extra meetings and other intensive activities of the Sec-

retariat at Headquarters in connexion with the Congo and as related to other special arrangements for the servicing of the fifteenth session of the General Assembly, including the requirements of new Members (additional overtime costs, estimated at \$120,000; additional General Assembly temporary assistance, estimated at \$60,000).

25. The revised estimates shown above do not include provision for:

(a) Adjustment of the post classifications for United Nations Headquarters, New York and the European Office, Geneva, as proposed in the Secretary-General's report (A/C.5/816) (estimated cost 1960: Headquarters \$270,000; European Office, Geneva \$60,000 plus \$9,000 relating to the Office of the United Nations High Commissioner for Refugees);

(b) Any increase in General Service salary rates at Headquarters which might follow from a review annually being undertaken in relation to prevailing local rates. (A 5 per cent increase would cost about \$50,000 gross a month.)

## Section 7. Common staff costs

	<i>United States dollars</i>
Revised estimate	7,361,500
Appropriation	7,069,300
Obligations to 31 July 1960	4,332,836

26. The revised estimates for section 7, by chapter, are as follows:

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1960
<i>United States dollars</i>			
I. Staff allowances (dependency allowances, education grants and related travel)	1,812,500	1,775,000	1,052,318
II. Social security payments (contributions, Joint Staff Pension Fund, medical insurance, compensatory payments, retirement allowance for former Secretaries-General)	3,582,300	3,562,300	2,060,083
III. Recruitment, transfer and separation costs.	1,787,700	1,553,000	1,118,235
IV. Other common staff costs (language training, professional trainees, staff welfare) . . . . .	179,000	179,000	102,200
TOTAL	7,361,500	7,069,300	4,332,836

The estimated additional requirements under this section are \$292,200, or an increase of approximately 4 per cent. The only major increase occurs in chapter III.

27. The additional requirements under chapter I are \$22,000 for dependency allowances and \$15,000 for education grants and related travel.

28. In the case of chapter II, the additional requirement is for an amount of \$20,000 in respect of contributions for medical insurance, occasioned by an increase in both Blue Shield and Blue Cross premiums on 1 April 1960, and in major medical insurance premium rates on 1 September 1960.

29. An additional requirement of approximately \$235,000 is foreseen in the case of chapter III—recruitment, transfer and separation costs. This additional requirement is accounted for by a number of factors, including the level of retirement, resignation and other separation actions already processed and anticipated for

the balance of the year, relating to career staff, and the rotation of fixed-term appointments.

*Section 8. Travel of staff and members of administrative bodies*

	<i>United States dollars</i>
Revised estimate . . . . .	1,767,400
Appropriation . . . . .	1,734,400
Obligations to 31 July 1960 . . . . .	1,394,053

30. The revised estimates for section 8 by chapter, are :

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1960</i>
<i>United States dollars</i>			
I. Travel of staff to meetings . . . . .	129,300	166,300	92,206
II. Travel on other official business . . . . .	418,100	418,100	235,082
III. Travel of staff and dependants on home leave . . . . .	1,174,000	1,104,000	1,035,712
IV. Travel of members of administrative bodies . . . . .	46,000	46,000	31,053
<b>TOTAL</b>	<b>1,767,400</b>	<b>1,734,400</b>	<b>1,394,053</b>

31. In the case of travel of staff to meetings, possible savings of \$37,000 may occur as a result of: (a) The change in the 1960 meeting place of the Economic Commission for Asia and the Far East; (b) Direct arrangement of transportation facilities by the Government of Argentina in respect of staff members detailed from Headquarters to the fourteenth session of the Commission on the Status of Women.

32. In the case of travel on home leave, it has not been possible to realize the reduction made in the preparation of the initial estimates anticipating considerable deferment in the exercising of entitlements, in addition to a further reduction approved by the General Assembly in these estimates. An additional requirement of \$70,000 under this heading is foreseen.

*Section 9. Hospitality and payments under annex I, paragraphs 2 and 3, of the Staff Regulations*

	<i>United States dollars</i>
Revised estimate . . . . .	95,000
Appropriation . . . . .	95,000
Obligations to 31 July 1960 . . . . .	71,186

33. The estimates for hospitality (\$25,000) and for payments under annex I, paragraphs 2 and 3 of the Staff Regulations (\$70,000) remain unchanged.

*Section 10. Economic Commission for Africa*

	<i>United States dollars</i>
Revised estimate . . . . .	800,000
Appropriation . . . . .	1,013,300
Obligations to 31 July 1960 . . . . .	403,491

34. Taking into account the pace of recruitment for the secretariat of the Economic Commission for Africa, which envisages that all established posts will be filled by the end of the year, and the progressive development of the programme of work of the Commission, it is anticipated that 1960 requirements under this section will total \$800,000.

**PART IV. SPECIAL OFFICES**

*Section 11. Office of the United Nations High Commissioner for Refugees*

	<i>United States dollars</i>
Revised estimate . . . . .	1,758,750
Appropriation . . . . .	1,590,000
Obligations to 31 July 1960 . . . . .	1,040,674

35. The revised estimates for section 11, by chapter, are :

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1960</i>
<i>United States dollars</i>			
I. Salaries and wages . . . . .	1,338,550	1,226,550	774,373
II. Travel of staff . . . . .	103,000	88,000	65,094
III. Common staff costs . . . . .	289,900	256,150	181,890
IV. Public relations and information activities . . . . .	27,300	19,300	19,317
<b>TOTAL</b>	<b>1,758,750</b>	<b>1,590,000</b>	<b>1,040,674</b>

36. The Advisory Committee has concurred in supplementary requirements in 1960 for administrative expenses of the Office of the United Nations High Commissioner in an amount of \$188,750, to be offset by increased income from staff assessment (\$12,000) and a further grant-in-aid from voluntary funds administered by

the High Commissioner (\$176,750). These additional requirements reflect the increased administrative expenses consequent to an intensification of the activities of the Office, particularly in connexion with the programmes in Morocco and Tunisia, and the fund-raising and information campaigns co-ordinated with the observance of the World Refugee Year. The distribution of the increased provisions is as follows:

Chapter	Approved estimate	Revised provisions	Increase
<i>Section 11:</i>			
	<i>United States dollars</i>		
I. Salaries and wages . . . . .	1,226,550	1,326,550	100,000
II. Travel of staff . . . . .	88,000	103,000	15,000
III. Common staff costs . . . . .	256,150	288,650	32,500
IV. Public relations and information . . . . .	19,300	27,300	8,000
TOTAL, section 11	1,590,000	1,745,500	155,500
<i>Provisions for the Office in other sections</i>			
Section 9. Hospitality . . . . .	2,000	2,000	—
Section 13. General expenses . . . . .	120,700	138,200	17,500
Section 14. Printing, stationery and library supplies . . . . .	9,900	11,900	2,000
Section 15. Permanent equipment . . . . .	14,400	28,150	13,750
Gross expenditure . . . . .	1,737,000	1,925,750	188,750
Estimated income from staff assessment . . . . .	(210,000)	(222,000)	(12,000)
Estimated grant-in-aid . . . . .	(497,000)	(673,750)	(176,750)
Net expenditure . . . . .	1,030,000	1,030,000	—

37. The increased provision under section 11 shown above amounts to \$155,500. The revision in local salary rates at Geneva effective 1 May 1960, to which reference is made under section 6, will require an additional \$13,250 (\$12,000 under chapter I and \$1,250 under chapter III).

#### Section 12. World Refugee Year

	<i>United States dollars</i>
Revised estimate . . . . .	34,000
Appropriation . . . . .	34,000
Obligations to 31 July 1960 . . . . .	26,852

38. The Advisory Committee has concurred in the transfer of \$4,000 from section 6 to section 12 to meet additional requirements for the World Refugee Year, largely for the purpose of compiling a complete report on the results of the activity.

#### PART V. COMMON SERVICES AND EQUIPMENT

##### Section 13. General Expenses

	<i>United States dollars</i>
Revised estimate . . . . .	5,870,000
Appropriation . . . . .	5,661,100
Obligations to 31 July 1960 . . . . .	3,508,342

39. The revised estimates, by chapter, are as follows:

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1960
	<i>United States dollars</i>		
I. Rental and maintenance of premises and fixed installations . . . . .	3,578,000	3,373,100	2,097,270
II. Rental and maintenance of equipment . . . . .	171,000	163,400	120,248
III. Communications, freight, cartage and express . . . . .	1,031,000	981,900	563,994
IV. Public information supplies and services . . . . .	741,000	741,000	550,233
V. Other supplies and services . . . . .	207,000	196,200	118,755
VI. Miscellaneous adjustments . . . . .	22,000	8,500	18,258
VII. Study and interne programmes . . . . .	70,000	83,000	—
VIII. Interim arrangements for the library . . . . .	50,000	114,000	39,584
TOTAL	5,870,000	5,661,100	3,508,342

40. The revised estimates under chapters I, II, III and V provide for additional requirements as follows:

	<i>United States dollars</i>
Headquarters . . . . .	189,700
European Office, Geneva . . . . .	26,100
Economic Commission for Asia and the Far East . . . . .	16,400
Economic Commission for Latin America . . . . .	40,200
TOTAL	272,400

41. The increases for Headquarters reflect wage and rate increases for contractual services not provided for in the original 1960 appropriation (\$126,500) and other additional requirements arising from meetings of the Security Council, particularly those held at night and on week-ends, and from special arrangements for the fifteenth session of the General Assembly. The wage and rate increases relate to utilities (\$36,500), contractual telecommunications services (\$31,500) and cleaning and maintenance services (\$58,500). The accounts most af-

affected by the other additional requirements are those for cleaning (\$15,000), maintenance and elevator operation (\$10,000), telecommunications supplies and services (\$22,000) and communications (\$10,000).

42. Of the additional requirements for the European Office, \$17,500 relates, as explained under section 11, to the Office of the United Nations High Commissioner for Refugees, and will be offset by additional income. The remaining \$8,600 increase provides for the renting of two villas to meet an acute space problem that has developed at that Office.

43. While the change in *venue* of the 1960 session of the Economic Commission for Asia and the Far East gave rise to savings on travel costs (see section 8), additional expenses of some \$6,500 resulted under this section. The remainder of the additional requirement for ECAFE is attributable, in the main, to increased communications expenses.

44. The revised estimate for the requirements of the Economic Commission for Latin America reflects 1959 expenditures, which were some \$20,000 above the 1960 appropriation level, as well as increased space requirements and wage and rate increases. The major portion of the increase is for rental and maintenance of premises (\$17,900) and for communications (\$19,000).

45. The provision for public information supplies and services (chapter IV) is maintained at the approved level.

46. Chapter VI, Miscellaneous adjustments, includes such expenses as losses, and *ex gratia* payments, which cannot be estimated in advance. The revised estimate provides for actual expenditures under these headings and for bank charges for the remainder of the year.

47. Adjustments in the study and interne programmes which result in a reduction of requirements under chapter VII, are explained in the report of the Secretary-General on public information activities<sup>4</sup> submitted to the General Assembly at its fifteenth session.

48. It has been possible, through use for certain requirements of internal facilities rather than outside contractual means, to make the 1960 interim arrangements for the library at a substantially lower cost than that envisaged.

#### Section 14. Printing, stationery and library supplies

	United States dollars
Revised estimate .....	2,133,100
Appropriation .....	2,133,100
Obligations to 31 July 1960 .....	1,435,612

49. The revised estimates are maintained at the amounts approved for the various chapters.

<sup>4</sup> *Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 59, document A/4429.*

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1960
United States dollars			
I. Official records .....	670,700	670,700	335,246
II. Recurrent publications .....	572,550	572,550	353,797
III. Studies and reports .....	135,000	135,000	37,578
IV. Office of Public Information .....	200,000	200,000	156,402
V. Special offices .....	19,050	19,050	2,958
VI. Other contractual printing .....	20,000	20,000	20,143
VII. Deduction for internal reproduction ...	(250,000)	(250,000)	(149,350)
VIII. Supplies .....	658,300	658,300	586,226
IX. Library .....	107,500	107,500	92,612
TOTAL	2,133,100	2,133,100	1,435,612

50. Expenditures under this section will be affected (in an approximate amount of \$10,000 to \$15,000) by an increase in paper prices and by the recent heavy usage of paper and supplies. Also the volume of internal reproduction of official records at Geneva which was anticipated will not be achieved, in part because of a delay in the manufacture and delivery of the composition equipment, and in part because of continuing difficulties in staff training. While it is hoped to keep expenditures within the appropriation amount, this will require fur-

ther adjustments in printing production schedules, which have already been affected by the high level of activity in the past two months.

#### Section 15. Permanent equipment

	United States dollars
Revised estimate .....	692,500
Appropriation .....	553,800
Obligations to 31 July 1960 .....	492,507

51. The revised estimates, by chapter, are as follows:

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1960
United States dollars			
I. Premises and fixed installations .....	133,000	133,000	131,660
II. Furniture and equipment .....	382,500	353,800	247,687
III. Major maintenance and capital improvement at Headquarters .....	37,000	67,000	6,344
Temporary facilities for new Members .....	140,000	—	106,816
TOTAL	692,500	553,800	492,507

52. The increased requirements under chapter II relate (a) to additional needs of the Office of the United Nations High Commissioner for Refugees (\$13,750) to which reference is made under section 11 and in respect of which there will be offsetting income from voluntary funds administered by the High Commissioner; and (b) to the requirements of three new information centres opened during 1960 (\$15,000) in respect of which, as indicated in annex III to the budget estimates for 1961 (A/4370), there have been offsetting reductions within total funds available for public information activities.

53. A provision of \$40,000 for an architectural survey of the Headquarters buildings was surrendered at the time of the submission of part I of the supplementary estimates for 1959<sup>5</sup> to be reappropriated for 1960; however, the provision for reappropriation was inadvertently omitted. As it has not been necessary to make major maintenance expenses at Headquarters for 1960 at the level provided for, it is possible to meet the 1960 requirements for the architectural survey (\$20,000) within chapter III and still release \$30,000 from that chapter. A separate report on the progress of the architectural survey will be submitted.

54. Additional requirements estimated at \$140,000 for the provision of temporary facilities for new Members are being met as an unforeseen expense with the concurrence of the Advisory Committee.

<sup>5</sup> *Ibid.*, Fourteenth Session, Annexes, agenda item 43, document A/4198.

## PART VI. TECHNICAL PROGRAMMES

### Section 16. Economic development

### Section 17. Social activities

### Section 18. Human rights activities

### Section 19. Public administration

### Section 20. Technical assistance in the field of narcotic drugs control

	United States dollars
Revised estimate . . . . .	2,430,000
Appropriation . . . . .	2,430,000
Obligations to 31 July 1960 . . . . .	1,236,188

55. The estimates for Technical Programmes, sections 16 to 20, remain unchanged.

## PART VII. SPECIAL EXPENSES

### Section 21. Special expenses

	United States dollars
Revised estimate . . . . .	3,532,000
Appropriation . . . . .	3,532,000
Obligations to 31 July 1960 . . . . .	3,151,232

56. The estimates for the several chapters under section 21 remain unchanged:

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1960
United States dollars			
I. Transfer of assets of the League of Nations to the United Nations . . . . .	649,500	649,500	649,466
II. Amortization of the Headquarters construction loan . . . . .	2,500,000	2,500,000	2,500,000
III. United Nations Building in Santiago, Chile . . . . .	382,500	382,500	1,766
TOTAL	3,532,000	3,532,000	3,151,232

57. The General Assembly, by resolution 1407 (XIV) authorized the Secretary-General to proceed with the construction of the United Nations building in Santiago, Chile, at a cost not to exceed \$1,550,000; decided to appropriate \$20,000 for 1959 for initial expenses and decided that the balance of the building cost should be included in the budget in annual instalments of \$382,500 for each of the four years 1960 to 1963.

58. A progress report on the implementation of the resolution will be presented separately. However, it is probable that not all of the 1960 instalment will be obligated by the end of the financial year, and, under the financial regulations, any unobligated balance would be surrendered. As the funds provided are an instalment towards the total cost of construction, the Secretary-

General proposes that any balance of this appropriation be maintained as available for obligation in 1961. A paragraph which would give this authority has been included in the draft resolution in annex II to this report.

## PART VIII. THE INTERNATIONAL COURT OF JUSTICE

### Section 22. The International Court of Justice

	United States dollars
Revised estimate . . . . .	752,000
Appropriation . . . . .	704,500
Obligations to 31 July 1960 . . . . .	406,365

59. The revised estimate for section 22 provides for the following requirements:

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1960
United States dollars			
I. Salaries and expenses of members of the Court	400,300	376,300	210,682
II. Salaries, wages and expenses of the Registry	281,940	258,440	162,056
III. Common services . . . . .	65,260	65,260	32,150
IV. Permanent equipment . . . . .	4,500	4,500	1,477
TOTAL	752,000	704,500	406,365

60. The increase of \$24,000 under chapter I relates to unforeseen expenses, authorized under paragraph 1 (b) (i) of General Assembly resolution 1444 (XIV), for judges *ad hoc* designated to sit in cases before the Court.

61. Additional requirements of some \$22,500 for temporary assistance for translation and typing and for printing reflect the fact that the volume of documentation required for the work of the Court during 1960 is substantially greater than that provided for in the 1960 estimates. Revised General Service salary scales for local staff involving an over-all increase of some 7.25 per cent were approved from 15 May 1960; the consequent increase in 1960 requirements is some \$1,000.

#### INCOME

##### *Income other than staff assessment*

	United States dollars
Revised estimate . . . . .	5,390,000
Approved estimate . . . . .	5,357,500

62. On the basis of the actual records at the end of August and additional information to date, a surplus of income of \$32,500 may be expected for 1960. Although the miscellaneous income accounts including income from revenue-producing activities indicate a shortfall of some \$144,250, this shortfall is more than offset by an anticipated increase of \$176,750 in the contribution from the Voluntary Funds of the United Nations High Commissioner for Refugees.

63. On the accounts to which the approved estimates relate, lower estimates now appear necessary, as follows:

(a) United Nations Postal Administration. The revised estimate of \$857,850 shows a decrease of \$173,450 over the approved estimate of \$1,031,300, and reflects a shortfall in the anticipated sales of stamps.

(b) Sale of proceedings of the second United Nations International Conference on the Peaceful Uses of Atomic Energy. In the light of current information on sales, the anticipated income should be revised to \$150,000, a decrease of \$150,000 in the original estimate of \$300,000;

(c) Reimbursement for loan of staff services furnished to specialized agencies and other. On the basis of actual records to date, the estimated income from this source is revised from \$359,700 to \$325,000, a decrease of \$34,700.

64. Income in excess of the approved estimates is foreseen in the following accounts:

(a) Income from investments and other interest. The experience to date indicates a total anticipated income of \$200,000, an increase of \$43,000 over the approved estimate. This increase is due to the greater amount which was available for investment during the first part of 1960 and to the higher interest rates which prevailed during that period.

(b) Sale of used office, transportation and other equipment. An estimated excess of \$60,900 over the approved estimate is due mainly to the increase in the proceeds from the disposal of remaining equipment and material of the United Nations Observation Group in Lebanon. The revised estimate would therefore be \$225,000. The original estimate of \$164,100 includes an income of \$90,000 from sale of equipment of UNOGIL; actual income of \$150,000 to \$160,000 is expected.

(c) Contributions from non-member States. An increase of \$57,000 representing the excess of the actual

over the estimated contributions from non-member States for the 1959 costs of activities towards which they are called upon to contribute brings the original estimate of \$198,000 up to \$235,000.

(d) United Nations Gift Centre. The net income from this activity is expected to exceed the original estimate by \$53,000.

(e) Funds provided from extra-budgetary accounts. The approved estimate of \$497,000 for the contribution from the Voluntary Funds of the United Nations High Commissioner for Refugees is revised at \$673,750, an increase of \$176,750, reflecting the supplementary requirements for this office, as shown in the revised estimates under section 11.

The approved estimates of income from the Special Account for Technical Assistance—\$1,100,000, and from the United Nations Joint Staff Pension Fund—\$190,400, remain unchanged.

##### *Income from staff assessment*

	United States dollars
Revised estimate . . . . .	6,575,000
Approved estimate . . . . .	6,329,000

65. On the basis of experience and taking into account the additional provision of assessable salary items in section 6, Salaries and wages, and section 11, Office of the United Nations High Commissioner for Refugees, the estimate of income from staff assessment is increased by \$246,000.

#### ANNEX I

##### ADDITIONAL REQUIREMENTS FOR 1960<sup>a</sup>

(a) *Unforeseen and extraordinary expenses authorized under paragraph 1 of General Assembly resolution 1444 (XIV) with the prior concurrence of the Advisory Committee*

Section		United States dollars
1	Committee of Experts on the Review of the Activities and Organization of the Secretariat . . . . .	14,300
2	Second United Nations International Conference on the Peaceful Uses of Atomic Energy . . . . .	19,000
4	Plebiscites for the Trust Territory of the Cameroons under United Kingdom administration . . . . .	86,300
	United Nations Representative on Hungary . . . . .	13,000
11, 13	Office of the United Nations High Commissioner for Refugees . . . . .	188,750
14 and 15	Temporary facilities for new Members . . . . .	140,000
		<hr/> 461,350 <hr/>

(b) *Unforeseen and extraordinary expenses authorized by the Secretary-General under paragraph 1 (a) of General Assembly resolution 1444 (XIV)*

Section		United States dollars
2	Conference on the Discontinuance of Nuclear Weapons Tests . . . . .	410,000
	Ten-Nation Committee on Disarmament . . . . .	160,000
4	Expenses arising from General Assembly resolution 1237 (ES-III) . . . . .	82,000
		<hr/> 652,000 <hr/>

<sup>a</sup> See paragraph 4 of this report.

(c) *Unforeseen expenses authorized under paragraph 1 (b) (i) of General Assembly resolution 1444 (XIV)*

Section	United States dollars
22 Appointment of judges <i>ad hoc</i> to sit in cases before the International Court of Justice . . . . .	24,000

(d) *Expenses arising from the application of the Staff Rules and Regulations*

Section	United States dollars
6 and 11 Increase in salary scales for General Service staff at the European Office, Geneva, manual workers at Headquarters and at the European Office and local staff at Santiago and Mexico; changes in post classifications other than Headquarters and at the European Office, Geneva . . . . .	252,850
7 Common staff costs . . . . .	292,200
8 Travel on home leave . . . . .	70,000
	<hr/> 615,050

(e) *Other additional requirements*

Section	United States dollars
3 Board of Auditors . . . . .	5,000
4 Special missions (United Nations Commission for the Unification and Reha-	

	bilitation of Korea, \$20,500; United Nations activities in Laos, \$260,000)	280,500
6	Pension Review Group (net) . . . . .	10,000
6 and 13	Additional expenses related to meetings of the Security Council and to special arrangements for the fifteenth session of the General Assembly (section 6, \$180,000; section 13, \$54,000) . . . . .	234,000
13	Wage and rate increases for contractual services . . . . .	140,000
15	Furniture and equipment for new information centres . . . . .	15,000
	Architectural survey at Headquarters	20,000
22	International Court of Justice: temporary assistance, printing and higher local salaries . . . . .	23,500
		<hr/> 728,000

## ANNEX II

### DRAFT RESOLUTION ON SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1960

[For the text of this resolution, as amended by documents A/4492/Add.1, A/4507, A/4508, A/4632, A/4653, A/C.5/816 and A/C.5/849, see A/4675, para. 23, draft resolution I.]

## DOCUMENT A/4508

### Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]  
[24 September 1960]

#### INTRODUCTION

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the supplementary estimates for the financial year 1960 (A/4492). This represents the first instalment of the supplementary estimates since, as indicated in paragraph 8 below, there may be further submissions covering certain other matters.

2. In accordance with established practice, the Advisory Committee had the opportunity at mid-year to review the status of the 1960 budget. At that time, on the basis of expenditures and obligations recorded up to the end of May 1960, the Secretary-General foresaw requirements, in addition to the appropriation of \$63,149,700, of the order of \$1,770,000. The supplementary appropriations now requested total an amount of \$1,978,250, the main elements of increase not foreseen at mid-year being:

(a) The extension beyond 30 September 1960 of the Conference on the Discontinuance of Nuclear Weapons Tests;

(b) The recent schedule of meetings of the Security Council and the related high level of activity; and

(c) Special arrangements for the fifteenth regular session of the General Assembly.

#### ANALYSIS OF SUPPLEMENTARY ESTIMATES

3. Of the supplementary request of \$1,978,250, an amount of \$1,137,350 relates to unforeseen and extraordinary expenses authorized under the provisions of General Assembly resolution 1444 (XIV) as follows:

(a) *Expenses authorized under paragraph 1 of resolution 1444 (XIV) with the prior concurrence of the Advisory Committee*

	United States dollars
(i) Committee of Experts on the Review of the Activities and Organization of the Secretariat (section 1) . . . . .	14,300
(ii) Second United Nations International Conference on the Peaceful Uses of Atomic Energy (section 2) . . . . .	19,000
(iii) Plebiscites for the Trust Territory of the Cameroons under United Kingdom administration (section 4) . . . . .	86,300
(iv) United Nations Representatives on Hungary (section 4) . . . . .	13,000
(v) Office of the United Nations High Commissioner for Refugees (sections 11, 13, 14 and 15) . .	188,750
(vi) Temporary facilities for new Members . . . . .	140,000
	<hr/> 461,350

(b) *Expenses authorized by the Secretary-General under paragraph 1 (a) of resolution 1444 (XIV)*

	United States dollars
(i) Conference on the Discontinuance of Nuclear Weapons Tests (section 2) . . . . .	410,000
(ii) Ten-Nation Committee on Disarmament (section 2) . . . . .	160,000
(iii) Expenses arising from General Assembly resolution 1237 (ES-III) (section 4) . . . . .	82,000
	<hr/> 652,000

(c) *Expenses authorized by the Secretary-General under paragraph 1 (b) (i) of resolution 1444 (XIV)*

United States  
dollars

Appointment of judges *ad hoc* to sit in cases before the International Court of Justice (section 22) . . . . . 24,000

4. Apart from the unforeseen and extraordinary expenses set out in the preceding paragraph, the Secretary-General requests provision for the following additional costs arising from the application of the Staff Rules and Regulations:

United States  
dollars

(a) Increase in salary scales for General Service staff at the European office, Geneva, manual workers at Headquarters and at the European office, and local staff at Santiago and Mexico, as well as changes in post classifications other than at Headquarters and at the European office, Geneva (sections 6 and 11) . . . . .	252,850
(b) Common staff costs (section 7) . . . . .	292,200
(c) Travel on home leave (section 8) . . . . .	70,000
	<hr/> 615,050

5. In addition, increased expenditures, in a total amount of some \$822,000<sup>6</sup> are anticipated in respect of the regular budget appropriations, the more important of which are the following:

United States  
dollars

(a) Board of Auditors (section 3) . . . . .	5,000
(b) Special missions: United Nations Commission for the Unification and Rehabilitation of Korea, \$20,500; United Nations activities in Laos, \$260,000 (section 4) . . . . .	280,500
(c) Comprehensive review of the United Nations Joint Staff Pension system (section 6) . . . . .	10,000
(d) Meetings of the Security Council and special arrangements for the fifteenth session of the General Assembly (section 6, \$180,000; section 13, \$54,000) . . . . .	234,000
(e) Wage and rate increases for contractual services (section 13) . . . . .	140,000
(f) Furniture and equipment for new information centres (section 15) . . . . .	15,000
(g) Architectural survey at Headquarters (section 15) . . . . .	20,000
(h) International Court of Justice: temporary assistance, printing and local salaries (section 22) . . . . .	23,500

6. The Secretary-General's detailed estimates under the several budget sections indicate total additional expenditures of some \$2,574,400. However, of this amount, some \$596,150 would be met by savings that are foreseen under a number of appropriation items, notably section 1 (\$5,000), section 4 (\$75,700), section 6 (\$136,100), section 8 (\$37,000), section 10 (\$213,300), section 13 (\$77,000) and section 15 (\$50,000). On this basis, the net increase is estimated, therefore at a total amount of \$1,978,250.

7. The Secretary-General has also presented revised estimates of income, involving an increase of \$32,500 for income other than staff assessment and an increase of \$246,000 for staff assessment income. In the case of in-

come other than staff assessment, the revised estimates under the accounts to which the approved estimates relate in fact show a shortfall of some \$144,250 as a result of decreases of \$173,450 under the United Nations Postal Administration, \$150,000 under the sale of proceedings of the second United Nations International Conference on the Peaceful Uses of Atomic Energy and \$34,700 under reimbursement for loan of staff to specialized agencies and others, offset in part by increases of \$43,000 under income from investments and other interest, \$60,900 under sale of used office, transportation and other equipment, \$57,000 under contributions from non-member States, and \$53,000 from the United Nations Gift Centre. The shortfall would, however, be more than offset by an anticipated increase of \$176,750 in the contribution, in the form of a further grant-in-aid, from the Voluntary Funds of the United Nations High Commissioner for Refugees to meet supplementary expenditures in the same amount for administrative expenses of the Office of the High Commissioner.

8. The supplementary estimates now submitted do not cover the following elements of cost which are, or will be, the subject of separate reports:

(a) United Nations activities in the Congo;

(b) The proposal (A/C.5/816) for an upward revision of the post adjustment level from class 6 to class 7 for New York, effective 1 January 1960, and from class 2 to class 3, for Geneva, effective 1 May 1960, which would require an additional provision in 1960 of some \$340,000;

(c) Possible adjustment of General Service salary scales at New York as the result of a review currently being undertaken;

(d) Travel of representatives of new Members in respect of the fifteenth session of the General Assembly, which would involve an average cost of \$6,000 for each new Member State.

#### COMMENTS ON SPECIFIC POINTS

9. The advisory Committee has examined in detail the requirements under each appropriation section and, subject to the comments below, the Committee is prepared to support the estimates as submitted, with the exception of that under section 4—Special missions and related activities. Under the latter section, the Committee considers that opportunities for savings under a number of headings might well arise during the remaining months of the year; accordingly, the Committee believes that total requirements under this section might be kept within \$2,900,000, or \$29,000 below the Secretary-General's estimate.

10. As regards the estimate for the Conference on the Discontinuance of Nuclear Weapons Tests, the Advisory Committee, without suggesting that essential expenditures should in any way be curtailed, has certain doubts about the budgetary premise on which the estimate rests. The Advisory Committee notes in this regard that obligations for approximately seven months from 4 January to 31 July 1960 amounted to \$217,062. The Conference, which recessed on 26 August, is scheduled to resume sessions on 27 September 1960. Taking into account expenditures up to the time of adjournment and requirements for about three months' further meetings up to the end of the year, the total estimate of \$410,000 would indicate that the provision is based on a substantially higher monthly rate of expenditure during the latter part of the year than that obtaining during

<sup>6</sup> This covers, in addition to the \$728,000 mentioned in paragraph 4 (e) of A/4492 (and a breakdown of which is given in paragraph 5 above), \$18,500 under section 4, chapter II (replacement of staff assigned to field missions); \$1,100 under section 4, chapter I, items (ii) and (iii)—United Nations Military Observers Group in India and Pakistan and United Nations Representative for India and Pakistan; and \$74,400 under section 13 in respect of miscellaneous items.

the first seven months. While there will be some increased costs as a result of the fact that Headquarters staff servicing the Conference will have to be replaced during the General Assembly session, the provision made might well prove to have been somewhat generous.

11. In respect of the estimates under section 10 for the Economic Commission for Africa, the Advisory Committee has inquired into the progress made in regard to recruitment for established posts and the development of the Commission's work. The Committee understands that by the end of August 1960, thirty-five of the approved fifty posts in the Professional category and above had been filled and that the remaining posts would be filled by the end of the year. The Committee notes at the same time that the pattern of expenditure during the first half of the year has enabled the Secretary-General to propose a downward revision of the 1960 appropriation of \$1,013,300 to a revised estimate of \$800,000, or the figure originally recommended by the Advisory Committee when the 1960 estimates were considered last year.

12. In considering the decrease of \$173,450 in the approved estimate for income from the United Nations Postal Administration, due to an anticipated shortfall in the sales of stamps, the Advisory Committee would draw attention to the fact that this represents yet another step in the continuing downward trend of income under this heading which has manifested itself in recent years. However, as the Committee noted in its report on the 1961 estimates (A/4408, para. 305), new measures are being taken to improve sales, by which it is hoped to arrest the downward trend and possibly to reverse it to a certain extent. The Committee looks forward to any favourable results which it might prove possible to obtain in the future.

#### ADVISORY COMMITTEE'S RECOMMENDATIONS

13. In the light of the observations and considerations set out above, the Advisory Committee recommends that for the financial year 1960 the amount of \$63,149,700 appropriated by the General Assembly by resolution 1443 (XIV) should be increased by \$1,949,250. This

increase comprises the additional estimates as submitted by the Secretary-General under the various sections of the 1960 budget, except for section 4—Special missions and related activities, where, as stated in paragraph 9 above, the Advisory Committee would recommend a reduction of \$29,000 in the figure proposed by the Secretary-General.

14. The Advisory Committee also recommends approval of an increase of \$32,500 in the estimate for income other than from staff assessment and an increase of \$246,000 in estimated staff assessment income, as proposed by the Secretary-General.

15. As regards the provision included in the 1960 budget in pursuance of General Assembly resolution 1407 (XIV) towards the cost of construction of the United Nations building in Santiago, Chile, the Secretary-General indicates that not all of the 1960 instalment of \$382,500<sup>7</sup> will be obligated by the end of the financial year. In accordance with financial regulations 4.2 and 4.3, any such unobligated balance would need to be surrendered. However, since the funds provided constitute an instalment towards the total costs of construction, the Secretary-General proposes that the unobligated balance of this appropriation should, by a specific decision of the General Assembly, be maintained as available for obligation in 1961 and has accordingly included a paragraph to this effect in the draft resolution on the 1960 supplementary estimates annexed to his report (A/4492, annex II). The Advisory Committee would defer any recommendation on this point until after it has had an opportunity to review the progress report which the Secretary-General will submit to the General Assembly on the construction of the building. On this basis, it might be appropriate not to include at this stage the proposed paragraph 2 of the draft resolution annexed to the Secretary-General's report.

<sup>7</sup> General Assembly resolution 1407 (XIV) provided, *inter alia*, that the total estimated cost of the building of \$1,550,000 would be provided through budgetary appropriations of \$20,000 in 1959 and \$382,500 in each of the ensuing four years. The 1960 budget included the first of the four instalments, and the 1961 estimates make provision for the second instalment (A/4408, para. 182).

### Supplementary reports

#### Sections 6 and 11. Post classifications for United Nations Headquarters, New York, and the European Office, Geneva

#### DOCUMENT A/C.5/816

#### Report of the Secretary-General\*

[Original text: English]  
[5 July 1960]

1. The General Assembly, at its eleventh session (resolution 1095 (XI)), adopted a schedule of base salaries for staff of the Professional category and above which was intended as a common salary system for the United Nations and the specialized agencies. The base salary scales adopted were those deemed to be appropriate to conditions in Geneva in January 1956. The salary scales were to be supplemented or reduced accord-

\* The report of the Expert Committee on Post Adjustments is annexed to this report.

ing to a schedule of post adjustments, which was designed to maintain a standard of living at different offices equivalent to that of the staff in Geneva in January 1956, by providing a fixed scale of adjustments for successive changes in living costs of 5 percentage points from the level of Geneva in January 1956.<sup>8</sup>

<sup>8</sup> The base salary scales for staff of the Professional category and above and the schedule of post adjustments are shown in section 3 of the Secretary-General's budget estimates for the financial year 1961 (A/4370).

## POST CLASSIFICATION FOR NEW YORK

2. Under the system adopted by the General Assembly, New York was placed in class 5 (plus 20 per cent) of the post adjustment scale, with effect from 1 January 1957 (the date of implementation of the new system). As a result of subsequent increases in the cost of living in New York, as reflected by the Consumer Price Index of the United States Bureau of Labor Statistics, New York was later placed in class 6 (25 per cent), with effect from 1 January 1959.

3. During the discussion in the Fifth Committee at the General Assembly's thirteenth session (674th and 675th meetings) on the subject of the Secretary-General's proposal that New York be placed in class 6, several delegations emphasized the need for an independent review of the application of the post adjustment system, notably in respect of the classification of the main centres of United Nations activity. The Secretary-General informed the Fifth Committee that, acting on the recommendation of the International Civil Service Advisory Board and in agreement with the executive heads of the specialized agencies, the Secretary-General had appointed an independent expert committee composed of persons from outside the United Nations. He indicated, as a first major task of this committee, the conduct of an inquiry into the basic problem of the New York-Geneva relationship. This committee, under the title of the Expert Committee on Post Adjustments, took up at its first session in March 1959 the problem of determining more precisely the relationship of living costs in New York to those of Geneva, as they affect the international staff. The study was completed and was reported on at the second session of the Expert Committee on Post Adjustments which was held in New York in May 1960. The report, which has been endorsed by the Administrative Committee on Co-ordination (ACC), is attached, for the information of the General Assembly (annex I).

4. It will be seen from the report of the Expert Committee that, according to its calculations, New York in January 1956 was somewhat over 20 per cent above the level of Geneva and, had the information been available at that time, would have qualified for class 5 (20 per cent). Changes in the New York local cost-of-living index from January 1956 to the last quarter of 1959, result in a post adjustment index for New York at the latter date of 132.7. The Expert Committee consequently reached the conclusion in paragraph 22 of its report that "conditions required for a change in the present post adjustment class 6 (125) to class 7 (130) have been fully met".

5. The effect of a change in the New York post classification from class 6 to class 7 is shown in annex II which sets out the post adjustment for class 7 in absolute and percentage form distinguishing the amount of the increase involved at the first, middle and last step of each grade.

6. The Expert Committee did not make any estimate of the appropriate classification of New York in January 1957, but it may be of interest to the General Assembly to note that the Consumer Price Index of the United States Bureau of Labor Statistics showed an increase of 3 per cent between January 1956 and January 1957. Consequently, the Expert Committee's result shows that the Assembly's decision to place New York in January 1957 at a figure of 20 per cent above Geneva in January

1956 did not overstate the relationship of New York to Geneva at that time.

7. According to the Expert Committee's report, which is dated 12 May 1960, the conditions required for a change to class 7 in the New York post classification had been met in the fourth quarter of 1959, the date of the survey. The Secretary-General accordingly recommends that this change be approved. While there is a clear case for retroactivity, practical considerations would appear to limit the extent to which the full retroactivity might be applied. It is pointed out in this connexion, however, that the conditions for a change in the post classification for New York (or Geneva) could be reached during any month of the year and it would be coincidental if this date fell within the period when the General Assembly was in session. Hence, some retroactivity seems inevitable for certain post adjustment changes if the system is to be applied equitably. The Secretary-General considers that in the light of the facts as set forth in the Expert Committee's report, it would be reasonable as well as in conformity with the principles laid down by the General Assembly for the administration of the post adjustment system, if the change to class 7 for New York were to be made effective from 1 January 1960.

8. The financial consequences of changing the post adjustment classification of New York from class 6 to class 7 for the year 1961 would amount to \$280,000. A decision to make the change effective 1 January 1960 would involve supplementary costs in 1960 amounting to approximately \$270,000.

## POST CLASSIFICATION FOR GENEVA

9. Under the scheme of post adjustments which was approved by the General Assembly, Geneva (at 100) as at January 1956 was adopted as the base place and base date of the system. Accordingly, Geneva was initially placed in class 1 of the post adjustment schedule, with effect from 1 January 1957. At its twelfth session, following the action taken by the World Health Organization (WHO) and the International Labour Organisation (ILO) in the course of 1957, the General Assembly approved a post classification at class 2 for Geneva effective 1 August 1957 (resolution 1221 (XII)).

10. The Expert Committee on Post Adjustments examined evidence on changes since January 1956 in prices paid by international officials in Geneva and reached the conclusion that the cost of living of these officials had in fact increased more during the period under consideration than was shown by the Geneva Cantonal index. This was particularly evident in respect of rents since a majority of the housing represented in the official index is under local rent control, whereas this is not the case for international officials. The Committee also noted that the salary conversion rate for international salaries had been increased since January 1956 from 4.28 Swiss francs to the dollar to 4.34 Swiss francs to the dollar. This increase operated to offset the price increases to the extent of just over 1 per cent.

11. On balance, "It was the judgment of the Committee that the increase in the cost of living of international officials in Geneva since January 1956, even after allowance for the change in the salary conversion rate, had amounted to at least 10 per cent, and that therefore Geneva had met the conditions required for post adjustment class 3 (10 per cent)" (annex I, para. 28 (a)).

12. Class 3 has been implemented by WHO and ILO for their staff in Geneva as from 1 May 1960.

13. The Secretary-General believes that a clear case exists for placing Geneva in class 3 under the post adjustment system and he recommends that this change be made effective as from 1 May 1960.

14. The additional costs resulting from such a change would be \$107,000 for the year 1961 (of which \$17,000 relates to the Office of the United Nations High Commissioner for Refugees) and \$69,000 for the period 1 May 1960 to the end of the year (of which \$9,000 relates to the Office of the United Nations High Commissioner for Refugees).

#### MEASUREMENT OF FUTURE CHANGES IN POST ADJUSTMENTS FOR NEW YORK AND GENEVA

15. The report of the Expert Committee on Post Adjustments has provided a firm basis for the measurement of future changes in post adjustments for New York and Geneva. In accordance with its recommendations, the relationship of New York in January 1956 to the Geneva base of January 1956 would be established at 120 and future changes would be measured from that point by means of the Consumer Price Index of the United States Bureau of Labor Statistics.

16. The relationship of Geneva in April 1960 to the base of January 1956 would be established at 110 and future changes would be measured from that point, if accepted by all the organizations concerned, by means of an appropriate local index to be compiled under the supervision of the Expert Committee on Post Adjustments.

### ANNEX I

#### Report of the Expert Committee on Post Adjustments

(Second session, 9 May to 12 May 1960)

[Original text: English]  
[12 May 1960]

1. The Expert Committee on Post Adjustments held its second session from 9 May to May 12 1960 at United Nations Headquarters, New York, and submits its conclusions and recommendations, as set forth in this report, to the Administrative Committee on Co-ordination (ACC).

2. The following members were present throughout the session:

Mr. Ewan Clague (United States of America), Chairman;  
Mr. F. L. Closon (France);  
Mr. Pascal Frochaux (Switzerland);  
Dr. Ph. J. Idenburg (Netherlands);  
Mr. Herbert Marshall (Canada);  
Mr. T. J. Natarajan (India).

3. The Committee was assisted by the services of the following technical advisers:

Mr. P. J. Loftus, Deputy Director of the Statistical Office of the United Nations; and  
Mr. H. E. Riley, Chief Statistician of the International Labour Office; and by  
Mr. R. L. Smith, United Nations Office of the Controller, who served as Secretary.

4. The Committee adopted the following agenda:

- (a) Opening of session.
- (b) Election of Chairman.
- (c) Report of the Rapporteur and Sub-Committee on the New York-Geneva survey.

(d) Measurement of price changes in Geneva since January 1956.

(e) Measurement of price changes in New York since January 1956.

(f) Future work of the Committee.

#### NEW YORK-GENEVA COST OF LIVING SURVEY

5. At its first session, held in Geneva from 31 March to 7 April 1959, the Expert Committee on Post Adjustment had considered the request of the ACC that a comprehensive study be made of the relationship of the cost of living for international officials in New York City compared with Geneva in January 1956. This study was to be made with a view to submitting such recommendations as would provide a firm basis for an initial place-to-place relationship and would facilitate subsequent time-to-time adjustments under the post adjustment system. After making a preliminary study of the technical aspects of the New York-Geneva survey a Rapporteur and Sub-Committee had been appointed by the Expert Committee at its first session to undertake the planning and direction of the survey work. The Rapporteur was assisted by a Consultant Statistician appointed for this purpose.

6. The Committee, at its second session, considered the report of the Rapporteur and Sub-Committee on the New York-Geneva survey. The Rapporteur had assembled the basic data together with a number of summaries and conclusions which greatly facilitated the Committee's considerations of the problems involved. As a result of arrangements made by the Rapporteur, family expenditure surveys were carried out in June and September 1959 among the international staff in the professional categories (P-1—P-5) in New York and Geneva. The first survey covered questions on housing and rents, domestic help, transportation and vacations. Information was obtained on monthly rent paid, type and size of accommodation, facilities included, cost of utilities and heating, and cost of repairs and/or decorations. Supplementary questions were included in order to ascertain the extent of rent control in the two places. The questions on domestic help were designed to provide information on the total expenditure involved and the number of working days or hours per month. The questions on transportation were designed to permit an analysis of transportation to and from work by each form of transport and to show various items of expenditure involved in transport as a whole. Questions were also asked concerning the cost of vacations both in the region of the duty station and on home leave.

7. A second family expenditure survey obtained information on the level of family expenditure on food, tobacco and drinks, clothing and footwear, housing, household operation, household furnishings and equipment, domestic help, personal care, toilet articles and drugs, transportation and recreation, education and expenditures outside the country of duty station, together with information on the retail outlets patronized by the staff in both cities. In addition, information was collected in the form of a daily record of expenditures in considerable detail covering a period of two weeks.

8. Prices were collected in Geneva and New York in the period October-December 1959 in accordance with arrangements made by the Rapporteur. In Geneva, the data were collected by the Statistical Office of the Canton of Geneva. In New York, prices were collected by the United States Bureau of Labor Statistics which assigned an officer to arrange for the collecting and assembling of the price data required. Approximately 250 items were priced in both cities. In general, items involving only very small amounts of expenditure were excluded.

9. Particular attention was given to a series of items which have been referred to as "special factors". These covered such items of expenditure as housing costs, domestic service, transportation, education, medical expenses, vacations and out-of-area expenditures.

10. From the information provided by the family expenditure surveys, a set of weights was established for Geneva and for New York which indicate the importance of each main item

in the expenditures of the staff in the two cities. These weights are summarized into fourteen groups in the table in paragraph 20. Examination of the weights indicated that the pattern of expenditure on each group of commodities and services was closely similar in the two cities. A clear exception to this was rent and utilities where the lower level of rents in Geneva gave Geneva a figure of 17.2 per cent devoted to rent out of total expenditure while the figure for New York was 21.7 per cent. When the level of expenditure, excluding rent, was compared in the two cities it was found that the apparent difference in the level of food expenditures practically disappeared. Thus, food and restaurant meals as a percentage of expenditure excluding rent and utilities came to 30.9 per cent in Geneva and 30.7 per cent in New York. The only other group of expenditure which showed a large difference between the two cities was vacations other than home leave, for which Geneva showed 4.7 per cent, and New York 1.8 per cent. This difference, the Committee felt, was explainable by the relatively greater facilities existing in the Geneva area for short periods of leave in Switzerland and in neighbouring countries. The Committee therefore considered that the general pattern of the weights were appropriate and realistic.

11. The most important and difficult part of the work had been the comparison of prices of commodities and services in the two cities. Here the situation was complicated by the difficulty of pricing commodities of identical quality. Differences in consumer habits, in commercial and trading practices, and in industrial techniques led to a number of differences in specifications between the two cities. In such cases, attempts were made in Geneva to price items meeting New York specifications and in New York to price items meeting Geneva specifications. In a number of cases, however, identity of specifications would not necessarily have yielded realistic results. Such cases included, for example, cigarettes, where distinctions were rather made between locally manufactured cigarettes and imported cigarettes and weights assigned to each of these categories on the basis of the information yielded by the expenditure surveys.

12. A major problem in the comparison of prices arose from the difficulty of matching prices which showed a considerable range in the two cities. In these cases it was by no means clear that the range of prices reflected a corresponding range in quality in the two cities. This was a difficulty that was particularly apparent in the case of clothing.

13. Because of the many problems involved, the Committee gave considerable attention to the question of comparability of the two series of prices. The prices used for Geneva were those collected by the Statistical Office of the Canton of Geneva from outlets designated on the basis of the information given by the staff concerning the outlets they patronize in Geneva. These were supplemented by a small number of special items priced by the Consultant Statistician because of the difficulty of matching specifications and qualities. For New York the prices used were predominantly those collected by the United States Bureau of Labor Statistics in its regular monthly price survey which forms the basis of its Consumer Price Index. In matching the series for the two cities it was found that the range of prices in Geneva included a number of quotations at the lower end of the range which were not comparable with the corresponding part of the New York price range. Such prices were omitted from the comparison and main reliance was placed on the centre of the price range, or median prices, in Geneva, which were compared with the United States Bureau of Labor Statistics average prices regularly collected for its Consumer Price Index in the areas of residence of United Nations staff in New York. The Committee recognized that the procedures used, particularly in the food and clothing groups, involved a risk that the New York relationship to Geneva might be understated. The Committee felt that such understatement, if it existed, was within the normal range of error that might be expected in such calculations. On the other hand, the Committee was convinced that its procedure had ensured that the New York relationship to Geneva was not overstated.

14. The Committee reviewed the data which had been assembled on the subject of rents and utilities. A comparison of

the rents paid showed that the ratio of the rents in the two cities varied inversely with the size of the premises, New York having very much higher rents for very small apartments and the difference decreasing and reaching its lowest figure when very large houses and apartments were compared. It was noted that the model size of apartment for Geneva was somewhat larger than for New York. It was found that the appropriate size of accommodation to be used in an index which would determine the New York post adjustment would be the category of apartments containing four to five rooms. The comparison was therefore based on the rents of unfurnished apartments of this size but with a weighting for furnished apartments based on the observed proportion of the staff occupying furnished apartments. This calculation including the cost of utilities (heating and lighting) yielded an index for housing costs of 154 for New York compared to 100 for Geneva.

15. The Committee noted that the substantial difference in rent between New York and Geneva was less great in the case of furnished apartments than in the case of unfurnished apartments. It was also noted that staff members newly arrived in Geneva have found it increasingly difficult to obtain accommodation at the rent levels used in this study. The Committee emphasized, however, that the rents used for its calculations were meant to reflect conditions for officials as a whole, in both New York and Geneva, and not the conditions for any particular category of staff, such as new arrivals. While the problem of housing costs for new arrivals is not an uncommon one, it is of such a nature that the Committee believes it would have to be dealt with through some other means than the post adjustment index. The Committee recognized that home ownership appeared to be relatively more attractive to New York staff as evidenced by the higher proportion of staff in New York owning their houses. However, the relevance of such costs was limited and it would not be appropriate, in any event, to attempt to take them into account in the index.

16. On the question of education costs, consideration was given to the use of an index based on the fees charged by the international schools in both cities less the amount of the education grant. This procedure involved the assumption that the education costs of staff members using other schools both in the area of the duty station and in their home countries would be in the same relation as that given by the international schools. The Committee realized that this assumption might not be appropriate and that in fact the proportion of staff having children at the international schools was a small proportion of the whole. The Committee concluded that education costs presented so many problems that it would warrant special study outside the question of post adjustments, that it was an item of expenditure for which a special allowance existed and that the problem of the adequacy or inadequacy of that allowance could not properly be a factor in determining the post adjustment. For this reason, but even more because of the variety of circumstances of individuals (including nationality), it was felt that education should be included in the calculation at 100 for both New York and Geneva. This procedure had the effect of excluding from the final index any influence arising from differences in education costs.

17. In the case of transportation an analysis was made of the costs of commuting to and from work on the basis of information collected from staff members on the distance of their residences from the office, means of transportation used, fares of public means of transportation and costs of operating a private automobile. These calculations revealed a higher cost of commuting in New York than in Geneva for which an allowance was made in the form of a cost element which was combined with the index for transportation given by the price comparison.

18. In the case of domestic services an index was computed comparing hourly wage rates paid in New York and Geneva to obtain a price relative which was weighted by actual expenditures on domestic help in the two cities.

19. For medical costs a comparison was made of fees charged by doctors and dentists for the usual medical and dental care, adjusted for the amounts reimbursed under the health insurance schemes established by the international agencies in Geneva

and the United Nations in New York for staff members. The resulting index should be regarded as an approximation. A more precise calculation would require a detailed analysis of various types of medical treatment, including hospitalization

which, however, was not possible with the available information.

20. The results of the series of calculations for the total index are set out in the table which follows.

*Index numbers of cost of living New York-Geneva (Geneva=100)*

<i>Group</i>	<i>Geneva weights</i>	<i>New York weights</i>	<i>Index<sup>a</sup></i>
I. i. Food, for home use .....	22.4	19.5	102
ii. Meals, refreshments away from home.....	3.2	4.6	160
II. Tobacco and drinks.....	2.4	2.1	117
III. Clothing and footwear.....	6.9	6.5	105
IV. Rent, including heating .....	17.2	21.7	154
V. Domestic help .....	4.3	3.9	225
VI. Household operation .....	4.3	4.8	110
VII. Personal care, toilet articles, drugs.....	3.1	3.7	123
VIII. Medical care .....	2.3	2.9	200
IX. Household furnishings, major household equipment	8.4	7.3	76
X. Transportation .....	8.0	9.2	132
XI. Education .....	3.2	3.8	100 <sup>b</sup>
XII. Recreation .....	5.2	4.7	103
XIII. Vacations:			
Annual leave .....	4.7	1.8	182
Home leave .....	2.0	2.1	100
XIV. Expenditures abroad .....	2.4	1.4	100
TOTAL	100.0	100.0	122

<sup>a</sup> The final index is a geometric mean of indexes, based respectively on Geneva weights and on New York weights.

<sup>b</sup> See paragraph 16 above.

21. The Committee considered that the results of the calculations, which showed a relationship of 122, should be construed as applying to the average of the last quarter of 1959 when the prices were collected. The exchange rate used throughout was 4.285 Swiss francs to the United States dollar.

22. The Committee noted that the existing arrangements, approved by the General Assembly, for the determination of post adjustment classification required an estimate of the relation which existed between New York and Geneva at the base date (January 1956). It will be seen from what is said below that the living costs of international officials in Geneva are estimated to have risen by at least 10 per cent between January 1956 and the last quarter of 1959, even when account was taken of the change in the payroll exchange rate from 4.28 to 4.30 Swiss francs to the dollar. In the same period the living costs of international officials in New York increased by 10.6 per cent as measured by the United States Bureau of Labor Statistics index. On this basis New York in January 1956 was somewhat over 20 per cent above the level of Geneva and, had the information been available at that time, would have qualified for class 5 (120). Changes in the New York local index from January 1956 to the last quarter of 1959 result in a post adjustment index for New York at the latter date of 132.7. The conditions required for a change in the present post adjustment, class 6 (125) to class 7 (130), would be that the index, averaged over a nine months' period, reached 130. Since the index has clearly exceed 130 during the past nine months, these conditions have been fully met.

23. The Committee draws attention to the fact that the weights used in reaching the results given above were obtained in the main from the expenditures of married staff members. Consequently, its figure of the relationship of New York to Geneva should be regarded as applicable to the *average* of staff members with dependants. The Committee also emphasized that, as noted in paragraph 16 above, the result took no account of differences in education costs.

#### MEASUREMENT OF PRICE CHANGES IN GENEVA

24. The Committee examined evidence presented by the ILO Statistical Division bearing on the question whether the present Cantonal cost of living index was an "appropriate local index" for the purpose of determining the Geneva duty station adjustments.

25. It was noted that the Geneva Cantonal index was designed to measure changes in prices paid by non-agricultural wage earner and salaried worker families. The weights employed were derived from surveys of expenditures by such families in the rural as well as urban areas throughout Switzerland. The rent component relates to "the most common types of housing in working class neighbourhoods" and the sample is limited to three- and four-room unfurnished flats. A majority of these flats are under local rent control.

26. Comparison of the weighting structures of the Geneva index and the distribution of the international agency officials' expenditures revealed significant differences between the two. Moreover, a number of commodities and services which are important in the consumption pattern of the professional employees of international agencies are not included in the sample prices for the Geneva index.

27. Examination of data on changes in prices paid by international officials revealed that the cost of living of these officials in Geneva had, in fact, increased more during the period under consideration than the increase shown by the Geneva index. The primary factor in this difference was the greater increase in rents paid by international officials as compared with the change in the rent component of the Geneva index.

28. On the basis of this evidence, the Committee reached the following conclusions:

(a) The cost of living of the professional employees of international agencies in Geneva had increased by at least 10 per cent since January 1956, the base reference date for the post adjustment system. In this connexion, the Committee also took note

of the changes which had been made since January 1956 in the exchange rate used for the conversion of international officials' salaries from dollars to Swiss francs. In the period under consideration this rate had increased from 4.28 Swiss francs to the dollar, to the present rate of 4.34 Swiss francs to the dollar (i.e., since January 1960). The Committee recognized that this change had the effect of increasing the purchasing power of the international officials. Such changes in the salary conversion rate should be taken into consideration in evaluating the effects of living cost changes for post adjustment purposes. It was the judgement of the Committee that the increase in the cost of living of the international officials in Geneva since January 1956, even after allowance for the change in the salary conversion rate, had amounted to at least 10 per cent, and that therefore Geneva had met the conditions required for post adjustment class 3 (10 per cent).

(b) For purposes of clarity and convenience in future calculations, the Committee recommended that the special index for Geneva be set at 110 as at April 1960 (on the basis of 100 in January 1956 and a payroll exchange rate of 4.34 Swiss francs to the dollar) irrespective of the date the reclassification is made effective and future changes should be measured from that point by means of the appropriate local index which is discussed below.

(c) Immediate steps should be taken to establish a special index appropriate for measuring changes in the cost of living of the professional staff of international agencies in Geneva. To this end, the Committee made the following recommendations:

(i) The Federal Office of Statistics of Switzerland should be asked to assume the responsibility for compiling the special index.

(ii) The Geneva weighting pattern developed for the recent Geneva-New York comparison provided a suitable basis for the special index.

(iii) Prices collected for the existing Geneva index may be used where appropriate, but should be supplemented by additional prices as needed to provide an adequate representation of items purchased by international officials.

(iv) The rent component of the special index to be used for post adjustment purposes should be designed to measure changes in rents of dwellings occupied by international officials at successive dates. For this purpose the Committee felt that the dwellings to be covered should be those actually occupied by international officials at each survey, but excluding purely temporary quarters. Rent data would be collected in respect of these dwellings at each survey, and the index, using these rents, would be calculated by the agency designated by the Committee. Care would have to be taken by means of suitable checks that the reported rents were correct and that the standard of accommodation being used for the index was neither unduly high nor unduly low, compared with the standard normal for staff of the various grades.

(v) In the calculation of the rent index, the Committee felt that the price relatives should be based on the per-room rent for dwellings of each size. It was recognized that provision would have to be made for dwellings appearing in successive surveys that had not figured in previous surveys. The Committee felt that such dwellings should be included in the index by weighting their average rent per room with the average rent per room of the dwellings included in past surveys in such a way that they exercised only such influence on the index as was warranted by their number in the total group of dwellings. In making these suggestions concerning the calculation of the rent index, the Committee did not intend to exclude the use of additional methods that might be found appropriate and adequate. The Committee requested the Secretariat to prepare a paper for its next session showing, from the actual data collected, the effect of the different methods of calculation.

#### MEASUREMENT OF PRICE CHANGES IN NEW YORK

29. The Committee reviewed the Consumer Price Index (CPI) for New York, compiled by the United States Bureau of Labor Statistics, with a view to determining whether this

Index properly reflected changes in the living costs of international officials as envisaged by the Salary Review Committee.<sup>a</sup> The Committee at the outset emphasized the desirability of using, for post adjustment purposes, an official index wherever appropriate, rather than compiling a new one specifically for this purpose. It was felt, therefore, that where and to the extent that an official local index constituted a reasonably approximate measure of changes in living costs of international officials, it was to be preferred to a specially constructed index.

30. In reviewing the CPI from this point of view, the Committee noted that there were reasons why the rent component of the CPI might not accurately reflect changes in the rents paid by international officials, owing to the inclusion in the former of rent-controlled premises. It was also observed that there were a number of differences between the weighting pattern of the CPI and the weighting pattern of the expenditure of international officials, as shown by the material assembled by the Rapporteur for the New York-Geneva survey. Calculations made by the Statistical Office of the United Nations had given an evaluation of the differences that might result if the prices of the CPI were re-weighted to reflect the expenditure of international officials and if changes in the rents paid by these officials were included in the re-weighted CPI in place of the existing rent component.

31. The Committee observed that the annual divergence between the two indexes was not sufficiently great to warrant the setting up of a special index at present. It was felt, however, that the Committee should review this question at subsequent sessions. For this purpose, the Secretariat was requested to assemble data to measure changes in the rents of international officials in New York in comparison with corresponding changes shown by the CPI and to keep under review the differences that would result from a re-weighting of the CPI in accordance with the pattern of expenditure of international officials.

#### FUTURE WORK OF THE COMMITTEE

32. The New York-Geneva study served as a basis for the Committee to consider a number of questions and problems which have general significance and which arise in varying degrees in connexion with cost of living comparisons carried out in other areas. Conclusions were reached on a number of these problems in respect of New York and Geneva, but the Committee noted the interest of the members of ACC in having further study given to these problems in the light of the special situations and conditions that are faced in various field offices. The Committee, therefore, maintained certain of these items on its agenda of future work as follows:

(a) Treatment of "out-of-area" expenditures; the proportion of income to which post adjustment should apply.

(b) Study of methods to improve comparability of prices in place-to-place studies, taking account particularly of differences in qualities and specifications.

(c) Impact of cost of living differences at different salary levels.

(d) Categories of expenditures to be included in the index, with particular reference to inclusion or exclusion of:

(i) Education expenses;

(ii) Vacation expenses;

(iii) Medical expenses;

(iv) Entertainment;

(v) Furniture and house furnishings;

(vi) Pension contributions.

(e) Revision of post classifications following currency devaluation and problems arising from existence of a black (or gray) currency market.

33. The Committee also included on its agenda of future work the following items which had been referred to it by ACC for study and recommendation:

<sup>a</sup> *Official Records of the General Assembly, Eleventh Session, Annexes, separate fascicle, document A/3209, para. 168.*

(a) The appropriateness of the table of post adjustment rates and possible extension of it above class 7, with particular reference to the element of regression both vertically and horizontally.

(b) The problem of accurate assessment of the relative cost of living in very high cost areas.

(c) Minus adjustments—the adequacy of methods of assessing the special situations of international officials in such areas and problems of application.

(d) The question of the need for differentiating between capital cities and outlying stations, bearing in mind that there are physical and financial limitations to the amount of cost-of-living survey activity that can be carried out.

(e) The problem of reconciling extreme variations in the cost of housing available to different groups of staff in the same area (lodging received through the government versus commercial rentals; lodging for newcomers versus lodging for staff long established in the area).

34. The Committee noted that of the new items submitted by ACC, that in paragraph 33 (a) relating to the post adjustment schedule was considered by ACC to be the most urgent. In reviewing its programme of future work the Committee noted also that some of the problems raised by ACC are related to those listed under paragraph 32 above and would not necessarily have to be considered separately.

35. With respect to paragraph 32 (a), the Committee observed that the attainment of class 7 (30 per cent) of the post adjustment scale by New York raised the question of the extension of the scale of post classifications given in annex C

of the report of the Salary Review Committee since that scale did not go beyond class 7 (30 per cent). It was noted that the general level of post adjustments for the international staff as a whole had reached a point where the great majority of the staff were in receipt of post adjustments of class 3 or higher. This fact raised the question, which was one for the Administration concerned, as to whether the base salaries were in fact out of date and were maintainable only by virtue of the existence of almost universal post adjustments. The Committee noted that the purpose of the post adjustment system was to achieve identity of emoluments from place to place. Consequently, when the situation was reached in which the majority of the duty stations attained a level substantially above the base, there appeared *prima facie* to be a case for changing the base. Such changes were in fact envisaged in paragraph 157 of the report of the Salary Review Committee.

36. The Committee felt that this matter might be further considered in connexion with the problem submitted to the Committee by the ACC concerning the appropriateness of the table of post adjustment rates and possible extension of it above class 7, with particular reference to the element of regression both vertically and horizontally. Mr. Frochoux was asked to prepare a paper to assist the Committee in the review of this matter at its next meeting. The paper should analyse the effect of the post adjustment system over the period since January 1956, showing the extent to which the system operated as a means of equalizing emoluments in the different duty stations, and the extent to which, with the passage of time, the system had operated to reduce the real income of certain grades and categories of staff and to increase the real income of other grades and categories.

## ANNEX II

### Post adjustment for class 7, in absolute and percentage form, distinguishing the amount of the increase involved at the first, middle and last step of each grade

	Post adjustment at class 7		Increase from class 6 to class 7	
	\$US	Per cent of net base salary	\$US	Per cent of net base salary
OFFICERS WITH DEPENDANTS				
P-1, Step I . . . . .	1,400	38.9	200	5.6
V . . . . .	1,400	31.8	200	4.5
VIII . . . . .	1,400	28.0	200	4.0
P-2, Step I . . . . .	1,650	34.4	225	4.7
V . . . . .	1,650	29.5	225	4.0
IX . . . . .	1,650	25.8	225	3.5
P-3, Step I . . . . .	1,900	31.7	250	4.2
VI . . . . .	1,900	26.9	250	3.5
X . . . . .	1,900	23.8	250	3.1
P-4, Step I . . . . .	2,100	28.8	275	3.8
VI . . . . .	2,100	24.7	275	3.2
X . . . . .	2,100	22.1	275	2.9
P-5, Step I . . . . .	2,275	26.0	300	3.4
V . . . . .	2,275	23.2	300	3.1
IX . . . . .	2,275	20.7	300	2.7
D-1, Step I . . . . .	2,450	24.5	275	2.8
IV . . . . .	2,450	21.9	275	2.5
VI . . . . .	2,450	20.4	275	2.3
D-2 . . . . .	2,800	22.4	325	2.6
U/S . . . . .	3,000	20.0	325	2.2
OFFICERS WITHOUT DEPENDANTS				
P-1, Step I . . . . .	935	26.0	135	3.8
V . . . . .	935	21.2	135	3.1
VIII . . . . .	935	18.7	135	2.7
P-2, Step I . . . . .	1,100	22.9	150	3.1
V . . . . .	1,100	19.6	150	2.7
IX . . . . .	1,100	17.2	150	2.3

	Post adjustment at class 7		Increase from class 6 to class 7	
	\$US	Per cent of net base salary	\$US	Per cent of net base salary
OFFICERS WITHOUT DEPENDANTS ( <i>continued</i> )				
P-3, Step I . . . . .	1,265	21.1	165	2.8
VI . . . . .	1,265	17.9	165	2.3
X . . . . .	1,265	15.8	165	2.1
P-4, Step I . . . . .	1,400	19.2	185	2.5
VI . . . . .	1,400	16.5	185	2.2
X . . . . .	1,400	14.7	185	1.9
P-5, Step I . . . . .	1,515	17.3	200	2.3
V . . . . .	1,515	15.5	200	2.0
IX . . . . .	1,515	13.8	200	1.8
D-1, Step I . . . . .	1,635	16.4	185	1.8
IV . . . . .	1,635	14.6	185	1.7
VI . . . . .	1,635	13.6	185	1.5
D-2 . . . . .	1,865	14.9	215	1.7
U/S . . . . .	2,000	13.3	215	1.4

## DOCUMENT A/4507

## Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]  
[23 September 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/816) concerning the classification, for purposes of post adjustment, of the United Nations Headquarters, New York, and the European Office, Geneva.

2. The existing system of salaries for staff of the Professional category and above<sup>9</sup> in the United Nations and the specialized agencies was adopted by the General Assembly, by resolution 1095 (XI) of 27 February 1957, on the basis of recommendations from the Salary Review Committee<sup>10</sup> which had been set up for this purpose under resolution 975 (X) of 15 December 1955. The base salary scales under the system were those deemed to be appropriate to conditions in Geneva in January 1956; in fact, these scales were essentially the same as those which have been in force since 1951. The system provided that the salary scales were to be supplemented or reduced according to a schedule of "post adjustments", which was designed to maintain a standard of living at different locations equivalent to that of the staff at Geneva in January 1956. To begin with, therefore, there was established a "place-to-place" comparison, in relation to Geneva as at January 1956; subsequent adjustments at any given place were to be made on the basis of changes in living costs in that place. All adjustments, both initial and subsequent, were to be in terms of differences or changes in living costs of five percentage points or multiples thereof.<sup>11</sup> Any such

adjustment from one class to the next would be made only when the index, averaged over a period of nine months, registered a change of five percentage points.

3. By resolution 1095 B (XI), the General Assembly decided to place New York in class 5 of the post adjustment scale, with effect from 1 January 1957, which was the date of implementation of the new system. As a result of subsequent increases in the cost of living, New York was later placed in class 6 with effect from 1 January 1959 (resolution 1342 (XIII) of 13 December 1958).

4. Geneva, which as at January 1956 formed the base of the system, was placed in class 1 (that is, at par with the base) of the post adjustment schedule, with effect from 1 January 1957. At its twelfth session, following the action taken by the World Health Organization (WHO) and the International Labour Organisation (ILO) in the course of 1957, the General Assembly approved a post classification at class 2 for Geneva effective 1 August 1957 (resolution 1221 (XII) of 14 December 1957).

5. The World Health Assembly (in May 1957) and the Governing Body of the International Labour Organisation (in June 1957), in addition to approving a class 2 post adjustment for their staff at Geneva from an earlier date, that is 1 June 1957, also indicated 1 January 1957 as the date from which future cost-of-living movements would be measured; that is to say, Geneva was assumed to have reached 105 as at 1 January 1957. This, of course, contrasted with the position of New York where 1 January 1956 remained the "base date", or the date from which further changes were to be measured.<sup>12</sup>

<sup>9</sup> The salaries of staff in the General Service category and the salary or wage rates for manual workers, in the United Nations, are determined by the Secretary-General, normally on the basis of the best prevailing conditions of employment in the locality of the office concerned.

<sup>10</sup> See *Official Records of the General Assembly, Eleventh Session, Annexes*, separate fascicle, document A/3209; *ibid.*, agenda item 51, documents A/C.5/691, A/3505 and A/3558.

<sup>11</sup> Thus, class I represents Geneva as at January 1956, class 2 represents "plus 5 per cent"; class 3 "plus 10 per cent" and so on. Similarly Class A represents "minus 5 per cent"; class B "minus 10 per cent" and so on.

<sup>12</sup> For details of the considerations in favour of the action of the two specialized agencies, and those critical of that action, see *Official Records of the General Assembly, Twelfth Session, Annexes*, agenda item 41, documents A/C.5/711, A/3721 and A/3793.

6. As indicated in paragraph 3 of the Secretary-General's report (A/C.5/816), in the light of the developments that had taken place, the need for an independent review of the application of the post adjustment system soon became evident. Accordingly, the Secretary-General, acting on the recommendation of the International Civil Service Advisory Board, and in agreement with the executive heads of the specialized agencies, appointed an independent expert committee, composed of persons from outside the United Nations, to study various aspects of the operation of the system. Among the more immediate considerations underlining the need for a review was the difference in approach between the United Nations and certain of the specialized agencies in regard to such matters as the relationship between New York and Geneva and the use of 1 January 1956 as a common base date for the measurement of further changes in living costs. For this reason, a first major task of the Expert Committee on Post Adjustments has been the more precise determination of the relationship of living costs in New York to those at Geneva, as they affect international staff. The results of the work of the Expert Committee on this question are set forth in the annex to the Secretary-General's report.

7. The conclusions of the Expert Committee may be summarized as follows:

(a) New York in January 1956 was somewhat over 20 per cent above the level of Geneva and, had the information been available at that time, would have qualified for class 5. Changes in the New York local cost-of-living index from January 1956 to the last quarter of 1959 result in an index for New York at the latter date of 132.7 as compared with 100 at Geneva in January 1956, and the conditions required for a change to class 7 in the New York post classification had been met in the fourth quarter of 1959, the date of the survey;

(b) The increase in the cost of living of international officials in Geneva since January 1956, even after allowance for the change in the pay-roll exchange rate from 4.28 to 4.30 Swiss francs to the dollar (and to 4.34 Swiss francs since January 1960), had amounted to at least 10 per cent; Geneva had therefore met the conditions required for a post adjustment of class 3 (plus 10 per cent);

(c) It would be equitable and appropriate to return to a common base date of 1 January 1956 for both New York and Geneva, on the following basis:

Geneva — 100 in January 1956;

— 110 in April 1960;

New York — 120 in January 1956.

Future changes would be measured, for New York, from 120 in January 1956, by means of the Consumer Price Index of the United States Bureau of Labor Statistics. For Geneva, changes would be measured from 110 in April 1960 (on the basis of 100 in January 1956 and a pay-roll exchange rate of 4.34 Swiss francs to a dollar), by means of an appropriate local index to be compiled under the supervision of the Expert Committee.

8. In the light of the findings of the Expert Committee, the Secretary-General has suggested that: (a) it would be reasonable, as well as in conformity with the principles laid down by the General Assembly for the administration of the post adjustment system, if the change to class 7 for New York were to be made effective

from 1 January 1960; and (b) a clear case exists for placing Geneva in class 3, with effect from 1 May 1960. As regards Geneva, the Secretary-General also draws attention to the fact that WHO and the ILO have, on the basis of the findings of the Expert Committee, already implemented class 3 for their staff in Geneva as from 1 May 1960.

9. The report of the Expert Committee bears evidence of a detailed and thorough study of the New York-Geneva relationship in all its aspects, based on intensive family expenditure surveys in both places, a determination of the appropriate weights to be assigned to the several items of expenditures and as close a comparison as possible of prices of commodities and services in the two cities. There should be no difficulty in accepting the data compiled by the Expert Committee as well as its findings. The study, in the view of the Advisory Committee, has achieved the two immediate objectives of determining the precise relationship between New York and Geneva and of relating measurements of change in both places to a common base date, namely 1 January 1956.

10. Specifically, the Advisory Committee concurs in the Secretary-General's recommendation that Geneva be placed in class 3 of the post adjustment schedule, with effect from 1 May 1960. In supporting this effective date, the Advisory Committee has taken into account, in addition to the evidence submitted by the Expert Committee, the importance of preserving uniformity among the organizations participating in the common system.

11. As regards New York, although the report of the Expert Committee is not explicit as to the date on which the New York index, averaged over the preceding nine months, stood at 130 or above, the Expert Committee has found beyond doubt that the condition mentioned above had been fully met certainly by the last quarter of 1959. The Advisory Committee is informed that, were a precise calculation to be made along the lines indicated by the Expert Committee, the index, averaged over nine months, would be found to have reached 130 some time in the second quarter of 1959. Nevertheless, taking account of the limits which the Expert Committee itself has found fit to place on its findings and having regard to the practical bounds of any retroactivity, the Secretary-General has proposed an effective date of 1 January 1960 for the re-classification of New York in class 7. Having regard to all the relevant factors, the Advisory Committee concurs in the Secretary-General's proposal.

12. The Advisory Committee would also recommend approval of the proposals of the Expert Committee concerning measurement of future changes in living costs in New York and Geneva (see para. 7 (c) above).

13. The adoption of the recommendations in paragraphs 10 and 11 above would give rise to additional costs, estimated as follows:

	1960 United States dollars	1961 United States dollars
New York, class 7 from 1 January 1960	270,000	280,000
Geneva, class 3 from 1 May 1960 . . . .	69,000 <sup>a</sup>	107,000 <sup>a</sup>
<b>TOTAL</b>	<b>339,000</b>	<b>387,000</b>

<sup>a</sup> Including \$9,000 in 1960 and \$17,000 in 1961 in respect of the Office of the United Nations High Commissioner for Refugees.

# Sections 4, 6, 7 and Estimates of Income. Salary scales for General Service staff at United Nations Headquarters, and at the European Office, Geneva

## DOCUMENT A/C.5/849

### Report of the Secretary-General

[Original text: English]  
[6 December 1960]

#### SALARY SCALES FOR HEADQUARTERS GENERAL SERVICE STAFF

1. The Secretary-General has completed a review of local employment conditions in the New York area and has reached the conclusion that an increase of 5 per cent in the Headquarters General Service scales is justified. He has further concluded that the effective date for applying the new scales should be 1 October 1960. In reaching these conclusions, the Secretary-General has been guided by annex I, paragraph 7, of the Staff Regulations of the United Nations in the light of the considerations indicated hereunder.

2. The existing Headquarters General Service salary scales were established as at 1 October 1959. They were approved by the Secretary-General following a detailed comparison with the 1 June 1959 survey of clerical and secretarial jobs in private employment published by the Commerce and Industry Association of New York. Although the data from the June 1959 survey could have supported an increase marginally higher than the 5 per cent that was granted, the Secretary-General considered that the rates as approved represented a reasonable interpretation of the provisions of annex I of the Staff Regulations, calling for the establishment of General Service salary scales on the basis of the best prevailing conditions of employment in the locality.

3. The Commerce and Industry Survey as at 1 June 1960 reports data in respect of 58 clerical and secretarial positions, covering some 82,400 employees in outside employment. An analysis of the data shows that in respect of a selected group of 10 representative General Service jobs, such as typist, junior stenographer, bilingual stenographer, senior clerk and secretary, the United Nations rates at 1 June 1960 were behind outside rates by about 5 per cent. In accordance with the procedure for receiving General Service salary scales agreed with the Heads of specialized agencies, a difference of the order of 5 per cent is considered to be significant and recognizable. The Secretary-General has therefore concluded that a 5 per cent increase in the

Headquarters General Service salary scales is justified. In addition to comparisons made on the basis of the Commerce and Industry surveys, General Service rates are kept under review by comparisons with data collected at other times of the year in certain other surveys which are made available to the Secretary-General, as well as by comparison with rates paid by selected individual private and public employers, including the United States Government.

4. Inasmuch as the outside salary increases which justify the proposed adjustment in United Nations local salary may presume to have been in effect on or before 1 June, the date when the Commerce and Industry Survey was begun, a case can be made for applying a corresponding measure of retroactivity to any such adjustment. Without prejudice, however, to what might normally be considered as the most appropriate arrangements for giving effect to the provisions of annex I, paragraph 7, of the Staff Regulations, the Secretary-General has concluded that under present circumstances, an effective date of 1 October 1960, for implementing the proposed increase in General Service salary scales, would be fully warranted. Regard has been had in this connexion to the fact that the June 1960 Commerce and Industry Survey became available at the beginning of September 1960 and that its first analysis, for United Nations purposes, was undertaken during the course of that month.

5. In addition to comparisons of salary rates, conditions of employment other than salary provided by more liberal private employers in the New York area have been kept under review. It may be stated in this connexion that the summary of benefits other than salary, reported to the Fifth Committee at the General Assembly's fourteenth session,<sup>13</sup> remains valid at this time.

6. The increased budgetary requirements as a consequence of these revised salary rates are estimated as follows:

<sup>13</sup> *Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 44, document A/C.5/794.*

	1 Oct.-31 Dec. 1960		Annual 1961
	United States dollars		United States dollars
Salaries and Wages:		Section 3 .....	491,500
Section 4 .....	2,100	Section 18 .....	7,750
Section 6 .....	117,750	Revenue-producing activities (re-	
Revenue-producing activities (re-		duction in income) .....	18,850
duction in income) .....	10,850		518,100
TOTAL, salaries and wages	130,700	Section 4 .....	64,450
Common staff costs—section 7 .....	16,450		582,550
TOTAL	147,150		
Increased income from staff assess-			115,000
ment .....	29,000		

7. It is anticipated with regard to 1960 that it may be possible to absorb the costs of \$16,450 against section 7 and \$75,000 of the \$117,750 costs against section 6. In this event additional income from staff assessment for 1960 would be reduced to an estimated \$12,000.

SALARY SCALES FOR THE GENERAL SERVICE STAFF  
AT THE EUROPEAN OFFICE, GENEVA

8. The Secretary-General, in consultation with the specialized agencies concerned, concluded earlier this year that an increase of 5 per cent in the salary rates for General Service staff and manual workers at the European Office of the United Nations was justified. This increase was made effective as from 1 May 1960. The Secretary-General has already reported the addi-

tional costs during 1960 resulting from the increase in Geneva salary rates (document A/4492). At its 765th meeting, the Fifth Committee approved a revised appropriation under section 6 for 1960 which took into account the 1960 requirements for this purpose. The additional requirements during 1961 are estimated as follows:

	<i>United States dollars</i>
Section 3. Salaries and wages . . . . .	110,000
Section 4. Common staff costs . . . . .	13,000
Section 20. Office of the United Nations High Commissioner for Refugees . . . . .	19,875
TOTAL	142,875
Increased income from staff assessment . . . . .	20,500

## DOCUMENT A/4632

### Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]  
[9 December 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has considered a report of the Secretary-General (A/C.5/849) submitting supplementary estimates for 1960 and revised estimates for 1961 to reflect certain authorized increases in the salary scales for General Service staff at Headquarters and at the European Office, Geneva. The additional appropriations which are requested comprise:

(a) \$55,700 (gross) for 1960<sup>14</sup> and \$582,550 (gross) for 1961 in respect of an increase of 5 per cent, effective 1 October 1960, in the salary scales for General Service staff at Headquarters; there would be related increases in income from staff assessment of \$12,000 for 1960 and \$115,000 for 1961;

(b) \$142,875 (gross) for 1961 in respect of an increase of 5 per cent, effective 1 May 1960, in the salary scales for General Service staff and manual workers at the European Office, Geneva; the related increase in income from staff assessment would be \$20,500. The 1960 requirements in this regard were included in the supplementary estimates already submitted for that year (A/4492).

2. Under annex 1, paragraph 7, of the Staff Regulations, the Secretary-General has authority to establish and revise salary scales for staff in the General Service and manual worker categories. The Advisory Committee has previously suggested, without prejudice to the aforementioned authority of the Secretary-General, "that, where possible, prior notification to the General Assembly or otherwise to the Committee itself would be desirable in a matter of substantial budgetary significance".<sup>15</sup>

3. The revisions in the Geneva scales mentioned in paragraph 1 (b) above were submitted in May 1960 to the Advisory Committee, which had an opportunity to obtain detailed information and clarifications. These revisions

were arrived at as a result of a local salary survey undertaken on behalf of the organizations having offices at Geneva, and were introduced effective 1 May 1960 by all those organizations.

4. The proposed increase of 5 per cent, effective 1 October 1960, in General Service salaries at Headquarters is based on a review of local employment conditions for comparable jobs, using the results of the annual survey, as at 1 June 1960, conducted by the Commerce and Industry Association. The Advisory Committee has had an opportunity to inquire into the manner in which the general principles governing the determination of local salary scales on the basis of "best-prevailing conditions of service" for comparable employment in the area have been applied in the present instance. The Committee would agree that the Secretary-General's conclusion is reasonable. It may be noted, in passing, that the present revision would be the fourth increase in General Service salaries at Headquarters since 1 January 1957.

5. The Advisory Committee accordingly recommends additional appropriations, as follows, for 1960 and 1961:

	<i>United States dollars</i>
1960	
Section 4. Special missions and related activities . .	2,100
Section 6. Salaries and wages . . . . .	42,750
Revenue-producing activities (reduction in income)	10,850

The estimate for income from staff assessment in 1960 should be increased by \$12,000, so that the net additional cost would be \$43,700.

	<i>United States dollars</i>
1961	
Section 3. Salaries and wages . . . . .	601,500
Section 4. Common staff costs . . . . .	77,450
Section 18. Special missions . . . . .	7,750
Section 20. Office of the United Nations High Commissioner for Refugees . . . . .	19,875
Revenue-producing activities (reduction in income)	18,850

The estimate for income from staff assessment in 1961 should be increased by \$135,500, so that the net additional cost would be \$589,925.

<sup>14</sup> The additional appropriation requested for 1960 takes into account that \$91,450 of the total estimated requirements of \$147,150 would be met within existing appropriations.

<sup>15</sup> *Official Records of the General Assembly, Tenth Session, Supplement No. 7*, para. 125.

## PART II OF THE SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1960

## DOCUMENT A/4492/ADD.1†

## Report of the Secretary-General

[Original text: English]  
[14 December 1960]

1. At its 763rd to 765th meetings on 6 and 7 October 1960, the Fifth Committee examined the supplementary estimates for 1960 on the basis of reports of the Secretary-General (A/4492 and A/C.5/816) and of the recommendations thereon of the Advisory Committee on Administrative and Budgetary Questions (A/4507 and A/4508).

2. At its 765th meeting, the Fifth Committee recommended that the 1960 budget estimates of \$63,149,700 should be increased by a total of \$2,501,550. The Committee deferred action on the estimates for the Economic Commission for Africa, section 10 (see para. 8 below). It further recommended that income other than from staff assessment be increased from \$5,337,500 to \$5,390,000, and that income from staff assessment be increased from \$6,329,000 to \$6,575,000.

3. Subsequent to the Fifth Committee's action as noted above, the Secretary-General advised the General Assembly<sup>16</sup> that the admission of new Member States to the United Nations would result in additional expenses for travel of representatives, in an estimated amount of \$120,000 under section 1 of the 1960 budget. A review of the accounts under section 1 indicates that towards this additional cost it would be possible to surrender an amount of \$40,000 from the appropriation of \$841,900 previously approved for the section, thus limiting the increase in the appropriation to \$80,000. The Secretary-General accordingly proposes that the amount under section I be revised from \$841,900 to \$921,900.

4. The revised estimate of \$651,300 for section 2, Special meetings and conferences, included an amount of \$410,000 for the Conference on the Discontinuance of Nuclear Weapons Tests. The adjournment of this Conference on 5 December 1960, until early 1961, enables a reduction of \$30,000 to be anticipated in the 1960 estimates. The Secretary-General accordingly proposes a revised estimate for section 2 of \$621,300.

5. The Secretary-General also informed the General Assembly (A/C.5/849) of his action pursuant to annex I, paragraph 7, of the Staff Regulations, covering an increase of 5 per cent in the Headquarters' General Service salary scales, effective 1 October 1960. In accordance with paragraphs 6 and 7 of the Secretary-General's report and as recommended by the Advisory Committee (A/4632), additional appropriations for 1960 will be necessary as follows:

	United States dollars
Section 4. Missions and related activities . . .	2,100
Section 6. Salaries and wages . . .	42,750

As the salary increase will necessarily also apply to the staff engaged in revenue producing activities, the addi-

tional costs thereby occasioned, estimated at \$10,850, are taken into account in the revenue estimate (see para. 10 below). Additional staff assessment arising from the salary adjustment is estimated at \$12,000.

6. The estimates for section 13, General expenses, as approved at the 765th meeting of the Fifth Committee, included an amount of \$54,000 for special arrangements to be made for an estimated period of two weeks during the fifteenth session of the General Assembly. The special arrangements were needed to be enforced for a period of one month, and, on this account, the relevant credits under the section need to be supplemented by a further provision of \$56,100. A request is also made for a provision of \$31,000 in section 13 for television activities, but this amount is wholly offset by income and the income estimate has been increased correspondingly.

7. The estimate of \$692,500 for section 15, Permanent equipment, approved at the 765th meeting of the Fifth Committee, included an amount of \$140,000 for the provision of temporary facilities for sixteen new Member States. It was necessary to provide facilities for an additional two Members, and the Advisory Committee in accordance with General Assembly resolution 1444 (XIV) concurred in further unforeseen expenses for the above purpose amounting to \$30,000. Towards this sum it is possible to surrender an amount of \$15,000 from the level of appropriations previously approved for the section. The Secretary-General accordingly proposes that the appropriation under section 15 be revised from \$692,500 to \$707,500.

8. On the basis of recorded obligations and expenditures as at 31 July 1960, totalling \$403,491, the Secretary-General proposed (A/4492) that 1960 requirements of \$800,000 could be anticipated for the Economic Commission for Africa (section 10). As of 31 October, recorded obligations and expenditures stood at \$636,680, leaving an unobligated balance of \$376,620 from a total appropriation of \$1,013,300. A reduction in the estimates of the order proposed appears feasible on the basis of the above facts, but would leave a slender margin in view of the higher monthly rate of expenditures now occurring. Since the credits for the Commission are in a separate section, and would remain available for obligation solely for the purposes of the Commission, any unspent balance being surrendered, the Secretary-General would at this time propose a revision of his former estimates to a total of \$900,000.

9. The above noted revisions, totalling \$83,650 (net), added to the amount of \$2,501,550 approved at the 765th meeting of the Fifth Committee, would increase the 1960 expenditure estimates to a revised total of \$65,734,900.

10. The total estimate of \$5,390,000 for income other than staff assessment, approved by the Fifth Committee at its 765th meeting, remains valid in spite of the additional costs for revenue producing activities (see para. 5 above). It is increased by \$31,000 to a revised total

† Incorporating document A/4492/Add.1/Corr.1.

<sup>16</sup> See *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 50, document A/C.5/844, footnote.

of \$5,421,000 as a result of additional income from television activities (see para. 6 above). Income from staff assessment, approved at a total of \$6,575,000, is increased by \$12,000 to a revised total of \$6,587,000 (see para. 5 above).

11. A revised draft supplementary appropriation estimate for 1960, covering the amounts approved at the 765th meeting of the Fifth Committee and the revisions

specified above, is attached as an annex to the present report.

### ANNEX

#### DRAFT RESOLUTION ON SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1960

[For the text of this draft resolution see A/4675, para. 23, draft resolution I.]

## DOCUMENT A/4653

### Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]  
[15 December 1960]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General submitting revised supplementary estimates for the financial year 1960 (A/4492/Add.1).

2. On the basis of the Secretary-General's earlier reports on this item (A/4492 and A/C.5/816) and the related recommendations of the Advisory Committee (A/4507 and A/4508), the Fifth Committee at its 765th meeting on 7 October 1960 recommended that the initial 1960 budget of \$63,149,700 should be increased by a total of \$2,501,550.<sup>17</sup> The Fifth Committee also recommended that income other than from staff assessment be increased from \$5,357,500 to \$5,390,000 and that income from staff assessment be increased from \$6,329,000 to \$6,575,000.

3. The present revised estimates show a net increase of \$83,650 over the amount of \$2,501,550 already approved. It is also proposed to increase income other than staff assessment by \$31,000 and income from staff assessment by \$12,000.

4. The net increase of \$83,650 in the estimates of expenditure is arrived at as follows:

Section	Increase (Decrease) United States dollars
1. Travel of representatives, members of commissions and committees . . .	80,000
2. Special meetings and conferences . . .	(30,000)
4. Special missions and related activities . .	2,100
6. Salaries and wages . . . . .	42,750
10. Economic Commission for Africa . . . .	(113,300)
13. General expenses . . . . .	87,100
15. Permanent equipment . . . . .	15,000
TOTAL (net)	83,650

<sup>17</sup> The Fifth Committee deferred action on the proposal of the Secretary-General to reduce the appropriation under section 10, Economic Commission for Africa from \$1,013,300 to \$800,000, pending further experience with actual expenditure in the latter part of 1960.

5. The items of increase under sections 1, 4 and 6 have already been brought to the attention of the General Assembly during its current session.<sup>18</sup>

6. The increase under section 15, Permanent equipment, reflects additional requirements of \$30,000, concurred in by the Advisory Committee in terms of General Assembly resolution 1444 (XIV), for temporary facilities for a further two new Member States in addition to the fourteen provided for earlier. As a result of savings of \$15,000 under the section, the net increase is in the amount of \$15,000.

7. Under section 13, General expenses, the additional request of \$87,100 consists of \$56,100 for special arrangements for the fifteenth session of the General Assembly and \$31,000 for television activities. The Advisory Committee notes that the increase of \$56,100 is in addition to the amount of \$54,000 already approved by the Fifth Committee for this purpose and is due to the fact that it proved necessary to extend by two weeks the special arrangements in question. It may be noted also that the increase of \$31,000 for television activities will be wholly offset by income.

8. The Advisory Committee recommends that the 1960 appropriations be increased by \$2,585,200 to a total of \$65,734,900 as submitted by the Secretary-General (A/4492/Add.1, annex). The Committee recommends also that estimated income other than from staff assessment be increased to a revised total of \$5,421,000 and income from staff assessment to a revised total of \$6,587,000.

<sup>18</sup> Section 1 — Additional expenses for travel of representatives as a result of the admission of new Member States (A/C.5/844); the additional requirements initially estimated at \$120,000 are now limited to \$80,000, after taking account of savings under other items of section 1.

Sections 4 and 6 — Increase in General Service salary scales at Headquarters, effective 1 October 1960 (A/C.5/849, A/4632).

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## DOCUMENT A/4675

### Report of the Fifth Committee

[Original text: English]  
[19 December 1960]

1. The Fifth Committee examined the supplementary estimates for 1960 at the 763rd to 765th, 816th and 822nd meetings.

2. For its consideration of the supplementary estimates, the Committee had before it reports of the Secretary-General (A/4492 and Add.1, A/C.5/816)

and of the Advisory Committee on Administrative and Budgetary Questions (A/4507, A/4508, and A/4653).

3. The supplementary estimates were examined by the Committee in three stages. The following table shows the total supplementary estimates for 1960 (with the exception of those relating to the United Nations

activities in the Congo (ONUC) for the period 14 July to 31 December 1960, which are the subject of a separate report).<sup>19</sup> The paragraphs that follow deal successively with the various parts of the estimates.

<sup>19</sup> *Official Records of the General Assembly, Fifteenth Session, Annexes, agenda items 49 and 50, document A/C.5/836.*

	Secretary-General's proposals	Advisory Committee's recommendations	Fifth Committee's recommendations to the General Assembly
<i>United States dollars</i>			
Supplementary estimates (A/4492 and Add.1, A/4508, A/4653) . . . . .	2,275,200	2,246,200	2,246,200
Adjustments in post classifications for Headquarters, New York, and Geneva (A/C.5/816; A/4507) <sup>a</sup> . . . . .	—	339,000	339,000
1960 appropriation (General Assembly resolution 1443 (XIV)) . . . . .			63,149,700
Revised appropriation . . . . .			65,734,900
<b>INCOME<sup>b</sup></b>			
<i>Income other than staff assessment:</i>			
Approved estimate (General Assembly resolution 1443 (XIV)) . . . . .			5,357,500
Estimated increase . . . . .			63,500
Revised estimate for 1960 . . . . .			5,421,000
<i>Income from staff assessment:</i>			
Approved estimate (General Assembly resolution 1443 (XIV)) . . . . .			6,329,000
Estimated increase . . . . .			258,000
Revised estimate for 1960 . . . . .			6,587,000

<sup>a</sup> Sub-items considered separately from the main body of the supplementary estimates at the 764th meeting of the Fifth Committee.

<sup>b</sup> The revised income estimates submitted by the Secretary-General and the Advisory Committee were identical in amount with those recommended by the Fifth Committee.

## I

4. The Secretary-General's estimate of \$1,978,250 for additional budgetary requirements in 1960, as contained in document A/4492, comprised the following items:

	<i>United States dollars</i>	
(a) Unforeseen and extraordinary expenses authorized under the terms of General Assembly resolution 1444 (XIV):		
(i) Under paragraph 1 of the resolution, with the concurrence of the Advisory Committee . . . . .	461,350	
(ii) Under paragraph 1 (a) of the resolution, under Secretary-General's certification . . . . .	652,000	
(iii) Under paragraph 1 (b) of the resolution, under certification of the President of the International Court of Justice . . . . .	24,000	1,137,350
(b) Expenses connected with the application of the Staff Rules and Regulations . . . . .		615,050
(c) Additional requirements (excluding (b) above) for items already included in the appropriations . . . . .	822,000	
Less decreases on certain budget sections . . . . .	596,150	225,850
<b>TOTAL</b>		<b>1,978,250<sup>a</sup></b>

<sup>a</sup> An amount of \$188,750 included in this total will be matched by a grant-in-aid from the voluntary funds administered by the United Nations High Commissioner for Refugees (\$176,750) and by an increase in staff assessment income (\$12,000).

5. Several delegations considered the supplementary estimates justified. Items that could not have been foreseen and expenses arising out of the application of the Staff Rules and Regulations accounted for \$1,750,000 or 89 per cent of the total, and after thorough scrutiny, the Advisory Committee had recommended a reduction of only \$29,000. While some delegations considered that the Committee and the Secretariat should aim at drawing up a comprehensive budget each year, so that supplementary provision would be limited to unforeseeable items, most of them agreed that there were situations in which increases in authorized appropriations were inevitable, and that the Financial Regulations recognized this.

6. Some delegations felt, on the contrary, that with better planning and stricter control, a large part of the supplementary requirements could have been avoided. While \$615,000 represented inescapable increases arising under the Staff Rules and Regulations, there was no reason why that expenditure should require supplementary appropriations. More than \$39 million had been provided for the expenses of the Secretariat in 1960—a sum large enough, if wisely used, to absorb such increases. These delegations also contended that not all the expenditure incurred under General Assembly resolution 1444 (XIV) was strictly of an unforeseen or extraordinary character. They also argued that the 1960 mission to Laos, the mission of the United Nations Representative on Hungary and the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK) were in violation of the Charter.

## DECISIONS OF THE COMMITTEE

7. At its 765th meeting, the Committee decided to defer its vote on section 10, concerning the secretariat of the Economic Commission for Africa. The Committee then took separate votes on three items under section 4,

chapter I, Missions. For the United Nations activities in Laos, the Committee voted separately on the several items of expenditure indicated in paragraph 19 of the Secretary-General's report (A/4492). The result of the voting was as follows:

	Amount	In favour	Against	Abstentions
<i>United States dollars</i>				
United Nations Commission for the Unification and Rehabilitation of Korea.....	169,000	49	8	9
United Nations Representative on Hungary ...	13,000	44	9	13
United Nations activities in Laos:				
(i) Salaries of staff recruited for the mission	69,000	42	9	16
(ii) Subsistence and travel of staff internationally recruited for the mission and detailed from established offices. ....	80,000	40	8	18
(iii) Rental and maintenance of premises ...	41,000	41	8	17
(iv) Rental and maintenance of vehicles... ..	10,000	41	8	18
(v) Communications, freight, supplies and services .....	12,000	40	8	18
(vi) Purchase of furniture, fixtures and equipment .....	30,000	41	8	19
(vii) Purchase of vehicles .....	18,000	39	10	19
TOTAL, items (i) to (vii)	260,000	43	8	17

8. The Committee voted on the revised estimates recommended by the Advisory Committee (A/4508) for those sections where the revised estimates differed from the original appropriations. In connexion with sections 6 and 11, the amounts voted reflected the decisions taken by the Committee at its 764th meeting on post classifications for Headquarters, New York, and the European Office, Geneva. The result of the voting was as follows:

Section	Amount	In favour	Against	Abstentions
<i>United States dollars</i>				
1 .....	841,900		Unanimous	
2 .....	651,300		Unanimous	
3 .....	58,000		Unanimous	
4 .....	2,900,000	55	8	3
6 .....	32,544,700	57	0	9
7 .....	7,361,500	57	0	8
8 .....	1,767,400	57	0	8
11 .....	1,767,750	55	0	11
12 .....	34,000	56	1	8
13 .....	5,870,000		Unanimous	
15 .....	692,500	66	0	1
22 .....	752,000		Unanimous	
Income other than staff assessment .....	5,390,000		Unanimous	
Income from staff assessment .....	6,575,000		Unanimous	

## POST CLASSIFICATIONS: HEADQUARTERS, NEW YORK, AND GENEVA

9. At its 764th meeting, the Committee considered, in connexion with the supplementary estimates for 1960, the question of the post classifications for New York and Geneva, on the basis of reports of the Secretary-General (A/C.5/816) and the Advisory Committee (A/4507). There was attached, as an annex to the Secretary-General's submission, a report (A/C.5/816, annex I) in which the Expert Committee on Post Adjustments proposed:

(a) That the post classification for Headquarters, New York, should be changed from class 6 to class 7, with effect from 1 January 1960;

(b) That the post classification for Geneva should be changed from class 2 to class 3, with effect from 1 May 1960;

(c) That, with Geneva at 1 January 1956 as the base of 100, future changes in post adjustments at Headquarters and Geneva should be measured as follows:

(i) For Headquarters, the relationship in January 1956 to the Geneva base of January 1956 would be established at 120, and future changes would be measured from that point by means of the Consumer Price Index of the United States Bureau of Labor Statistics;

(ii) For Geneva, the relationship in April 1960 to the base of January 1956 would be established at 110, and future changes would be measured from that point,

if accepted by all the organizations concerned, by means of an appropriate local index to be compiled under the supervision of the Expert Committee on Post Adjustments.

10. The Secretary-General endorsed these proposals, which were the subject of like recommendations by the Advisory Committee (A/4507, paras. 10-12).

11. The financial implications are estimated as follows:

	1960	1961
	United States dollars	
New York, class 7 from 1 January 1960 . . . . .	270,000	280,000
Geneva, class 3 from 1 May 1960 . . . . .	69,000	107,000
	<u>339,000</u>	<u>387,000</u>

#### DECISIONS OF THE COMMITTEE

12. The Committee took the following decisions: It decided:

(a) By 55 votes to none, with 8 abstentions, that, with effect from 1 January 1960, the post adjustment for United Nations Headquarters, New York, should be class 7 within the established system;

(b) By 56 votes to none, with 6 abstentions, that, with effect from 1 May 1960, the post adjustment for the European Office of the United Nations, Geneva, should be class 3 within the established system; and

(c) By 56 votes to none, with 8 abstentions, that the basis for measuring future changes in post adjustments for New York and Geneva should be the basis recommended by the Expert Committee on Post Adjustments and the Advisory Committee.

#### Recommendation of the Fifth Committee

13. The Fifth Committee therefore recommends to the General Assembly the adoption of draft resolution II (see para. 23 below).

#### II

14. At its 816th meeting, the Committee considered a report of the Secretary-General (A/C.5/849) submitting supplementary estimates for 1960 and revised estimates for 1961 to cover increases in the salary scales for General Service staff at Headquarters, New York, and at the European Office, Geneva. The related report of the Advisory Committee was contained in document A/4632.

15. The action which the Secretary-General had already taken or proposed to take was based on his authority (under annex 1, paragraph 7, of the Staff Rules and Regulations) to revise salary scales for staff in the General Service and manual worker categories, in line with the best prevailing conditions of employment in the locality.

#### SALARY SCALES FOR HEADQUARTERS GENERAL SERVICE STAFF

16. The Secretary-General's report (A/C.5/849, paras. 2-5) set forth the grounds on which he had reached the conclusion (a) that an increase of 5 per cent in the Headquarters General Service scales was

justified; and (b) that the new scales should be applied from 1 October 1960.

17. The Advisory Committee agreed (A/4632, paras. 4 and 5) with the Secretary-General's conclusion, and accordingly made the following recommendations:

	United States dollars
1960	
Additional appropriations <sup>a</sup> . . . . .	55,700 <sup>b</sup>
Increase in income from staff assessment . . . . .	12,000 <sup>b</sup>
1961	
Additional appropriations <sup>a</sup> . . . . .	582,550
Increase in income from staff assessment . . . . .	115,000

<sup>a</sup> The distribution by sections is shown in paragraphs 6-7 of document A/C.5/849.

<sup>b</sup> Estimated requirements amount to a total of \$147,150, with a consequent increase of \$29,000 in income from staff assessment. The Secretary-General expects, however, to absorb \$91,450 of this total within existing appropriations. The increase in income is therefore limited to \$12,000.

#### SALARY SCALES FOR THE GENERAL SERVICE STAFF AT THE EUROPEAN OFFICE, GENEVA

18. Early in 1960 the Secretary-General, in consultation with the specialized agencies concerned, concluded that an increase of 5 per cent in the salary rates for General Service staff and manual workers in the United Nations European Office, Geneva, was justified. The increase came into effect on 1 May 1960, and the related supplementary estimates for 1960 (A/4492, para. 24) were considered and approved at the 765th meeting of the Fifth Committee (see paragraph 12 above).

19. As regards the additional requirements for 1961, the Advisory Committee concurred in the estimates submitted by the Secretary-General (A/C.5/849, para. 8) as follows:

	United States dollars
1961	
Additional appropriations <sup>a</sup> . . . . .	142,875
Increase in income from staff assessment . . . . .	20,500

<sup>a</sup> The distribution by sections is shown in paragraph 8 of document A/C.5/849.

#### DECISION OF THE COMMITTEE

20. At its 816th meeting, the Committee approved by 49 votes to none, with 9 abstentions, the recommendations of the Advisory Committee (A/4632, para. 5).

#### III

21. At its 822nd meeting, held on 16 December 1960, the Committee considered a report of the Secretary-General (A/4492/Add.1) submitting a number of revisions in the supplementary estimates for 1960 which had resulted from decisions taken by the Fifth Committee at the current session or were indicated in the light of actual experience in the last quarter of the year. These revisions, in which the Advisory Committee concurred (A/4653), entailed a net increase of \$83,650 over the amount of \$2,501,550 previously approved and raised the total of the revised appropriations for 1960 to \$65,734,900. Income other than from staff assessment was estimated at the revised total of \$5,421,000, and income from staff assessment at the revised total of \$6,587,000.

## DECISIONS OF THE COMMITTEE

22. The Committee approved, by 49 votes to none, with 8 abstentions, the draft resolution contained in the annex to document A/4492/Add.1 (see para. 23 below, draft resolution I). The Committee also unanimously approved the recommendations of the Advisory Committee for a revised 1960 estimate for income other than staff assessment in the amount of \$5,421,000, and for income from staff assessment in the amount of \$6,587,000.

**Recommendations of the Committee**

23. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

## I

## SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1960

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below].

## II

## SCHEDULE OF POST ADJUSTMENTS: CLASSIFICATION FOR UNITED NATIONS HEADQUARTERS AND THE EUROPEAN OFFICE OF THE UNITED NATIONS, GENEVA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below].

**ACTION TAKEN BY THE GENERAL ASSEMBLY**

At its 960th plenary meeting, on 20 December 1960, the General Assembly adopted draft resolutions I and II submitted by the Fifth Committee (A/4675, para. 23). For the final texts see resolutions 1581 (XV) and 1582 (XV), respectively, below.

**Resolutions adopted by the General Assembly**

## 1581 (XV). SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1960

*The General Assembly*

1. *Resolves* that for the financial year 1960 the amount of \$US 63,149,700 appropriated by its resolution 1443 (XIV) of 5 December 1959 be increased by \$2,585,200 as follows:

Section	Amount appropriated by resolution 1443 (XIV)	Supplementary appropriation	Revised amount of appropriation
United States dollars			
A. UNITED NATIONS			
<i>Part I. Sessions of the General Assembly, the councils, commissions and committees; special meetings and conferences</i>			
1. Travel of representatives, members of commissions and committees . . . . .	832,600	89,300	921,900
2. Special meetings and conferences . . . . .	62,300	559,000	621,300
3. Board of Auditors . . . . .	53,000	5,000	58,000
TOTAL, PART I	947,900	653,300	1,601,200
<i>Part II. Special missions and related activities</i>			
4. Special missions and related activities . . . . .	2,523,300	378,800	2,902,100
5. United Nations Field Service . . . . .	1,206,800	—	1,206,800
TOTAL, PART II	3,730,100	378,800	4,108,900
<i>Part III. The Secretariat</i>			
6. Salaries and wages . . . . .	31,921,200 <sup>a</sup>	666,250	32,587,450
7. Common staff costs . . . . .	7,069,300	292,200	7,361,500
8. Travel of staff and members of administrative bodies . . . . .	1,734,400	33,000	1,767,400
9. Hospitality; payments under annex I, paragraphs 2 and 3, of the Staff Regulations . . . . .	95,000	—	95,000
10. Economic Commission for Africa . . . . .	1,013,300	(113,300)	900,000
TOTAL, PART III	41,833,200	878,150	42,711,350