

THE UNITED NATIONS
AND
THE PROBLEM OF DECOLONIZATION:
THE SPECIAL COMMITTEE OF TWENTY-FOUR
BY
DOMENICO MAZZEO

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INTRODUCTION

1. Statement of general purpose and possible avenues of inquiry.

General purpose
of the thesis.

The general purpose of the present research is to make some contributions to the knowledge of the United Nations' role in the decolonization process of Non-Self-Governing Territories, mostly from 1960 on. For that purpose, we have decided to deal mainly with a still largely unexplored field: the Committee of Twenty-four, a special committee of the General Assembly, created in 1961 to implement the Declaration on the Granting of Independence to Colonial Countries and Peoples of the previous year.

The reasons why we have chosen such a topic as the subject of our thesis resides on the assumption that one of the most important dimensions of politics is the making of peace and that international organizations have a role to play in this quest for peace.

Now, it seems obvious that, in the post-war era, decolonization has proved to be an outstanding political happening, and that, along with the broader questions of human rights, collective security and economic cooperation, it has provided the United Nations with a challenging opportunity to get involved in issues of world politics.

But, since both time and the sources at our disposal were limited; since recourse to modern techniques of direct observation was not possible and very little has been written on the Committee of Twenty-four, we could not hope to conduct as searching and detailed study as we would have liked, and moreover, a fairly broad survey of the field seemed necessary as a basis for further research.

Consequently, our main endeavour will consist in providing, through the examination of United Nations' documents, a general analysis of the General Assembly and of the Special Committee with respect to Non-Self-Governing Territories. We will also examine two cases which were handled by the Committee: Angola and Equatorial Guinea.

Possible avenues
of inquiry.

While planning this thesis, three main questions came to mind. We could have tried to evaluate:

1. The real impact of the United Nations on the decolonization process, that is on the pace of developments towards independence of colonial territories;
2. The feed-back of the decolonization process on the world organization itself;
3. The contribution of the Committee's work to the expansion of the concept of international responsibility in the colonial field.

The first question, that of the impact of United Nations action on the decolonization process involves the very difficult problem of assessing the effects of United Nations' resolutions and activities. To what extent has the world organization been an important causal factor in developments taking place in colonial territories or on policies of colonial powers? This causality could have been studied directly, through the encouragement or stimulus given by the United Nations to the national liberation movements and the assistance provided by the specialized Agencies. It might have been studied also through the impact of the United Nations on the policies of the colonial powers in the territories.

^{CORRELATIONS}
 Certain ~~conditions~~ might be found in the process, between UN developments and events in the decolonization process.

To carry on such a study seriously, personal contacts with the countries or at least some of the people involved would have been virtually essential. At best, the evidence would only suggest certain presumptions of causal relationships.

The second question, that of the feed-back of the decolonization process in general, and of the activities of the Committee in particular, on the world organization itself, could have proved stimulating and rewarding. One may have examined the innovating role of the Committee of Twenty-four on the institutional structures, procedures and political alignment at the United Nations; more specifically, how did it affect the attitudes of Western powers, the Soviet bloc and developing countries within the General Assembly. The impact of decolonization on the handling at the United Nations of all major issues of world politics could have been touched upon, from the problem of security and peace keeping, to the problem of new political blocs and the breaking of the cold war or the East - West alignment, to the problem of development or the new North - South conflict, to the new interpretation of juridical principles and political ideals. The complexity of such an approach and the need for detailed knowledge and direct experience are clear. The use of modern techniques of quantitative analysis would have also been most useful.

On the contrary, the third question, that of the contribution of the Committee's work to the expansion of the concept of international responsibility in the colonial field, seemed to be more manageable, at least in a few months' time, and more appropriate for an M.A. thesis.

2. Delimitation of topic and method of research.

Delimitation of topic.

Since our research bears on a vast highly important, and complex area of world politics, it is important at the outset to bear in mind its specific and modest object. Our aim in this thesis is to bring out some contributions, mostly in terms of ideas, of the United Nations in General and of the Committee of Twenty-four in particular to the internationalization of the colonial problem, that is, to the expansion of the concept (1) of international responsibility with regard to Non-Self-Governing Territories. More specifically we will attempt to ascertain whether or not the work of the Committee of Twenty-four has involved a real widening of the concept of international responsibility in the colonial field, and, more generally, we will consider its possible and more durable implications for the handling of international relations in the years to come.

An answer to the first question can be suggested by research; an answer to the second question can be attempted by extrapolating certain trends, and the persistence of certain factors, but this exercise is necessarily of a speculative character.

Method of Research

The delimitation of our topic obviously affects the choice of the method to be applied. Had we chosen to examine the impact of the United Nations on the colonial territories, the theory of political development could have supplied a useful conceptual framework. Had we

(1) We will be concerned with the ideas advanced and endorsed primarily in UN resolutions, with their political significance and implications in terms of our subject, namely the scope of international responsibility. While ideas are presumed to have logic and force of their own, an evaluation of their significance necessarily involves consideration of their political context. We will therefore give some attention to political forces and alignments at the UN, on major resolutions produced by the committee of twenty-four, though recognizing that we are not able in this thesis to examine the political context and processes at the UN in the close and systematic manner which would be necessary.

decided to study the feed-back of the decolonization process on the world organization itself, both the decision-making approach and the use of certain quantitative methods e.g. on voting might have been very useful. But, we have opted for the third avenue of inquiry, that is, the contribution of the United Nations to the idea of international responsibility in the colonial field, and for this subject, no precise and elaborate theoretical framework seems available or appropriate. A more traditional analytical approach will be used and will be complemented by drawing inferences from our two case studies.

In considering UN principles, resolutions, declarations or other documents, our approach will be essentially political rather than juridical: thus we will be less concerned with questions of legal status or value of documents and more with the "ideas" advanced, and the extent to which they are implemented.

3. Assumptions, Definitions, and Plan of Thesis.

Since our thesis bears on the role of the United Nations in the decolonization process, and more particularly on the effects of the decolonization issue at the United Nations on the concept of international responsibility, we must at the outset clarify the meaning we will attach to the words colonialism and decolonization, international responsibility and the assumptions we make regarding the nature of the United Nations and the character of UN resolutions.

Meaning of Colonialism and Decolonization.

Here we refer only to colonialism of the European type, practiced in Asia and Africa over the last two or three centuries.

European colonialism has been interpreted as a civilizing mission by the colonial powers, as exploitation of the weaker country by the stronger according to the socialist interpretation.

Whether in the name of the 'assimilation' of colonies into a higher degree of civilization, or due to the 'right of the strong to help the weak', or as a 'guarantee of peace and stability' through a 'good administration' of the territory (2) the colonial powers have always tried to justify their presence in Asia and Africa not only on "national interest" grounds, but also as in the interest of the indigenous population:

"Coloniser, c'est se mettre en rapport avec des pays neufs pour profiter des ressources de toute nature de ces pays, les mettre en valeur dans l'intérêt national, et en même temps apporter aux peuplades primitives qui en sont privées les avantages de la culture intellectuelle, apanage des races supérieures. La colonisation est donc un établissement fondé en pays neuf par une race à civilisation avancée, pour réaliser la double but que nous venons d'indiquer." (3)

But, in practice, the interests of the metropolitan country seem to have got much more attention than those of the colonial territories. In the political field, colonialism has meant concentration of power in European capitals. Economically, it subjected the resources of dependent territories to the interests of the administering powers. Culturally, European values were imposed as superior to those of the colonial peoples. The legal system of the so-called civilized West was also extended to the Afro-Asians during the nineteenth century.

Accordingly, the critique of colonialism advanced by liberals in the name of "free trade" and by socialists and liberals in the name of "self-determination" is not without foundations. We can also understand why, within the General Assembly's majority, which is made up of mostly ex-colonial countries, colonialism is felt as exploitation and decolonization as liberation or reconciliation of the Afro-Asian peoples with their history and traditions, with their environment and their abilities, with their values and their resources.

(2) Grimal, op. cit., pp. 28-30.

(3) M. Mérygnac, in Grimal, op. cit., p. 6.

Decolonization is a quest for equality, at the juridico-political as well as at the socio-economic level.(4) For the purpose of this research, the meaning of decolonization will be limited mainly to the juridico-political level, that is, to the level of self-government, sovereign independence or free association.

Role of the UN and Value of its resolutions on colonialism.

Our assumption regarding the nature of the United Nations conforms to the views of most specialists, such as Innis Claude: We regard the UN as essentially a multilateral instrument for the conduct of relations among member states and for seeking agreements or accommodations on issues of concern to member states. Except for certain power of the Security Council in matters involving threats to world peace, UN resolutions have no mandatory power. They are not legislative acts, backed by executive powers. What importance then attaches to resolutions or recommendations passed by the General Assembly? In their book on UN decision-making, J. Hadwen and S. Kaufman argue:

"It is simply not practical politics to suggest that the majority in the United Nations can impose its will on any minority. The assembly is not the parliament of man; it does not pass legislation which becomes the law of nations. Essentially, it is a form of diplomatic activity which seeks to mobilize the widest possible support for recommendations as to how international affairs should be conducted.

The best resolutions are those which result from close consultation involving all the main groups in the Assembly. The least effective are those which are pressed to the vote in the face of known and determined opposition.

The United Nations act more effectively when it serves to bring about an accommodation of the various national interests through negotiation and agreement. It is not effective and may not survive if any majority seeks to ride roughshod over minority opinion." (5)

This view seems warranted in most instances, where the hope and intent is to achieve results. But there are also cases where it is clear that a broad consensus can not be achieved, and that the states which would be required to modify their behaviour, are unprepared to do so or to accept UN

(4) Carrington, in International Affairs, Vol. 38, Jan, 1962, p. 29.

(5) Hadwen, J.C. and S. Kaufman, How UN decisions are made, Oceana publications, New York, 1962, p. 152.

recommendations in their regard. Groups commanding a majority may still have some impact over time. The precise significance of resolutions, thus, is often hard to assess, but it depends clearly on the scope, determination, distribution of supports from member states, on a close examination of views, positions, influence of powers supporting resolutions, of those abstaining; more specifically three aspects need examination: voting alignments, and prior bargaining on resolutions; positions, strength of views of key states involved, including major powers; and finally actions taken to implement resolutions.

What we are saying simply points up a major limitation of our research: the limited extent to which we have been able to examine the political processes and supports behind the passing of resolutions. (6)

Working definition of
International responsibility.

The concept of international responsibility in the present research is used in a precise and limited sense. By international responsibility here we mean THE RIGHT OF THE WORLD ORGANIZATION, AS CLAIMED BY THE UNITED NATIONS ITSELF, TO BE CONCERNED WITH AND TO GET INVOLVED IN THE DECOLONIZATION PROCESS OF NON-SELF-GOVERNING TERRITORIES, BOTH IN PRINCIPLE AND IN PRACTICE. In this limited sense, that is, from the point of view of the United Nations, we assume that the concept of international responsibility in the colonial field has been widened by the work of the UN in general and of the Special Committee of Twenty-four in particular.

Plan of the
Thesis.

To test this assumption, we will proceed as follows. In a first chapter we will deal with the evolution of the United Nations' role in the colonial field, in its political, juridical and institutional aspects. It is not enough to proclaim principles. Nor is it sufficient to embody these principles into practice and to make institutions work. We will, therefore

(6) Some clues to this problem will be provided in Annex IX

study in this chapter the political context, which will set the stage for the whole research, (7) the text of UN resolutions - "the UN philosophy" and institutional framework of the decolonization process at the United Nations prior to the establishment of the Committee of Twenty-four.

A second chapter will concentrate on the Committee of Twenty-four. Through a summary examination of its organization, tasks and activities we will try to show that with the establishment of the Committee of Twenty-four, internationalization of the colonial problem reached its peak: all colonies were declared to be under a certain kind of trusteeship system.

To examine more closely whether or not these UN claims had any effect in practice, in the third chapter we will consider in some detail the work of the Committee of Twenty-four in respect of ~~the~~ two colonial territories: Angola and Equatorial Guinea. Angola

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- (7) Speaking of political context, we will insist on the post 1945 period, mainly on the political situation in 1960.

We start with a general survey of the POLITICAL CONTEXT of decolonization, since to our understanding, it is this alignment of dynamic forces which gives meaning and life both to the PRINCIPLES contained in the UN documents and to their interpretation or attempts at implementation through the work of the INSTITUTIONS, namely the Committee on Information and the Special Committee of Twenty-four, established to look after Non-Self-Governing Territories.

Then, moving within this general political framework, since our concern is chiefly with the development of ideas in regard to the concept of international responsibility in the colonial field, for the rest of Chapter One on the evolution of the UN role, in Chapter Two on the Committee of Twenty-four, in Chapter Three on case studies, we will analyze separately and we will concentrate on UN principles or claims and on the efforts to implement them through the activities of the institutions created for that purpose, almost setting aside the problem of political context and support as such.

and Equatorial Guinea have been chosen because they are illustrative of the two main kinds of problems which, during the sixties, have harassed the Committee and the General Assembly: the situation in the hard-core territories of Southern Africa and the future of the small territories scattered around the globe. Angola will provide us with the opportunity of a careful examination of the intricacies of the first problem, Equatorial Guinea of the second.

At the end of these three chapters, we should be in a position to attempt an evaluation of the internationalization of the colonial problem both in principle and in practice.

CHAPTER ONE

EVOLUTION OF THE UNITED NATIONS ROLE
IN THE DECOLONIZATION PROCESSImportance, forces and phases
of the decolonization process

Decolonization has been one of the most impressive phenomena of the post-war era, like the atomic bomb of international politics. In less than twenty years, colonial empires have been dissolved; two new super powers, Russia and the United States, have emerged on the world scene; the number of sovereign states has more than doubled, thus affecting every aspect of international politics, from the relations among Great Powers, to the East-West and North-South alignments, to the role of the United Nations, to the problem of development.

The origin and forces of the decolonization drive should be traced back to the trends toward self-determination, so vigorously expressed by the American, French and Russian revolutions. However, the events which had most to do with the rapid changes in the colonial relations were the two world wars. (1)

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- (1) In particular, the second world war weakened the colonial powers and awakened the colonial peoples. The 'cold' war, that followed, set the scene for a more rapid evolution of the colonial problem, at first in the sense that it absorbed the energies of the colonial powers and diverted their efforts from the maintenance of colonialism to the containment of communism; then, with the progress of decolonization itself and the growing importance of the non-aligned countries, in the sense that it convinced both East and West of the urgency of winning over to their side the neutralists of the third world.

Both the principles embodied in the above-mentioned revolutions and the events of the wars gave birth to new movements of Afro-Asian nationalism (3) that contributed the most to make decolonization a reality in so short a period (4):

"Le nationalisme colonial fut le moteur
de l'accélération de l'histoire." (5)

Though decolonization appears to be a movement without interruptions, at least from 1945 on, we may somewhat arbitrarily envisage three main phases of this development: from 1919 to 1945 is the awakening of the Middle East, from 1946 to 1955 is the victory of Asian nationalism, from 1956 to 1963 the majority of the African countries accede to independence.

Internationalization of the Colonial Problem.

In this movement of political decolonization what was meant to be the role of world organizations? What has it been? To answer these questions, let us first examine the political context, the juridical texts and the institutional framework within which such organizations, the United Nations in particular, were supposed to act and how they evolved, both in principle and practice.

(3) See Annex I

(4) See Annex II

(5) Grimal, op. cit., p. 394.

1. Political Context or the Pressure Groups of Decolonization.

As already stated, in this thesis we are mainly concerned with the internationalization of the colonial problem, rather than with the colonial problem as a whole. Moving from the Berlin Conference to the League of Nations, to the United Nations, we will try to detect the evolution of the internationalization movement.

The Berlin Conference 1885	To protect European interests, in 1885 an international conference was convened in Berlin, first, to define European spheres of influence in Africa; second, to assert that Colonies were not to be considered for the exclusive advantage of any single country; third, to proclaim an open-door policy for access to markets and raw materials in colonial territories.
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The League of Nations 1919-1939	These same principles were embodied in the League of Nations' Mandate system. According to Mr. Franco Nogueira,
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"The mainspring of the system were equality of access to raw materials, the competition for markets, a fair distribution of spheres of influence, and a just division of the territories taken from Germany and Turkey." (6)

(6) Franco Nogueira, op. cit., p. 18.

Of course, the League of Nations went further. With the creation of the Mandate system and its Permanent Commission, the League first attempted to institutionalize the colonial problem at the international level, though in a limited way. An annual report to be submitted by the mandatory powers, the right of investigation by the League and the right to independence for the territories under mandate, formally asserted in the covenant, constituted the main features of the system. At any rate, the rule of unanimity was still there to remind us of the fact that the national interest of the administering powers remained of paramount importance. Further, the Commission was composed of experts and, consequently, did not exert any significant political pressure. Its role was advisory to the Council, that is, to the bulk of the administering powers themselves. No direct contact through visiting missions by the members of the Permanent Commission with the peoples of the mandates was allowed.

It is obvious, therefore, that, within the framework of the League, the colonial problem was not given major importance, neither geographically nor in scope. The mandate system referred only to the territories taken from Germany and Turkey. The goal of self-government or independence was not as clearly stated as in the Charter of the United Nations.

With regard to simple colonies, aside from the "sacred trust" principle, which requested member states to secure "just treatment of the native inhabitants of territories under their control", (7) there was no mention of any international responsibility for the colonies in the League Covenant, not even a declaration of principles comparable to the declaration on non-self-governing territories contained in Chapter XI of the United Nations' Charter.

Under the League of Nations colonies still remained the property of the mother countries, fully subjected to their "civilizing mission" as well as to the "domestic jurisdiction" rule.

Before the coming into being of the United Nations, it seems fair to say that the preoccupation of the international community for simple colonies was one of self-interest, or at best, of concern. At the Berlin Conference the community of nations, the European powers, asserted their common interest in exploiting the African continent.

Within the League, the world community, still composed of mostly European powers, expressed its concern for a just treatment of the native inhabitants, but this principle was not spelled out nor any action was taken to embody it in an institution capable of implementing it.

(7) Nicholas, op. cit., p. 29.

The significance of the Mandate System and the Permanent Commission, as examples of international responsibility in the colonial field, cannot be dismissed. But, for all practical purposes, the administration of the mandates was assimilated to that of simple colonies. Under the United Nations system the contrary happened. The reason is to be found in the changed circumstances and the appearance of new actors in the international scene.

The United
Nations
1945-1960

At the United Nations a more political approach, based on power relations and quest for majority, has taken the place of the rather juridical one, enacted by the League. In this climate, simple colonies have more and more benefited by the example of trust territories and have become the object of numerous interventions by the world organization. To understand this difference in the functioning of the two systems, we should take into consideration, as it has already been pointed out, the new political framework rather than simply the different juridical formulation of the problem.

General
Political
Climate

The new political situation was created by the weakening of the old colonial powers after the Second World War, the independent political outlook taking place within the Dominions of the British Commonwealth, the birth of the Afro-Asian bloc as well as the strengthening of the Latin-American one, the rising of the new super-powers and the growing tough competition among them, named cold war.

Consequently, the composition of the United Nations has taken a shape different from that of the League of Nations; from a mostly European club it has jumped to a more truly world organization. Briefly, a globalization of politics and of all related interests has taken place.

The coming of Red China into the picture and her split with Moscow have probably sped up the dynamics of international politics and provided the national liberation movements with some help, or, at least, with a new example of national pride to look at.

All these events had a great impact on the United Nations' Organization, which is just one aspect, we could say almost an echo, of the foreign policy of member-states, a reflex of the harmonies and contrasts of national policies.

Due to technical progress, such voices got added strength. The mass-media made the consequences of

events, happening in one corner of a continent, to be felt throughout the world. The mass-media also facilitated relations among states and increased the potentialities of a more sensitive world public opinion. In this sense at least, that is, as a forum for discussion and a means of exerting moral pressure, the United Nations as a whole and the General Assembly in particular have had a role to play in the decolonization process:

"... under the spur of the United Nations' scrutiny the colonial powers are driven constantly to re-examine colonial policies. In demonstrating that no ways and means have been overlooked in promoting colonial development and in justifying their existing policies at the bar of world opinion they re-appraise and perfect their administration. In this fashion does the United Nations influence colonial development." (8)

Phases of the
Decolonization
Process at the
United Nations

After this summary presentation of the
new international climate, let us now
take a closer look at events and

dynamic forces, which helped the decolonization process
and its internationalization under the United Nations
system, picking up three key moments of this development,
that is, 1945, 1955, 1960.

(8) Fox, Annette Baker, *The United Nations and Colonial Development*, International Organization, May 1950, p. 218.

During the War Since colonialism was considered to be one of the causes of the great conflict of 1939, during the war the end of colonialism was felt by many to be a prerequisite for a lasting peace:

"There was little sympathy generally for the restoration of the status quo ante bellum in the colonies either of the Axis Powers or of the Members of the United Nations. Furthermore, it seemed possible that some form of international accountability for the administration of colonies of all types, and not of the mandated territories alone, would be included in any plan for the post-war organization and maintenance of international peace and security." (9)

While the war was raging, Britain and France needed assistance from the colonies, so they were generous in promises of freedom and self-determination.

Russia and the United States were very much interested in the end of colonialism, not only on ideological, but also on national interest's ground. As a matter of fact, the end of colonialism would have diminished the strength of Britain and France, thus allowing Russia and the United States to become the only two super-powers.

But, at Dumbarton Oaks and then at Yalta, the enthusiasm for decolonisation was at a lower level: the U.S.A. would not renounce the Pacific Islands; Russia was

(9) Sady, E.J., The United Nations and Dependent Peoples, The Brookings Institutions, Washington 6, D.C., 1965, p.9.

eager to put her feet in Libya; Britain and France were no longer in mortal danger of Nazi occupation.

The Big Powers preferred to leave the problem of colonialism dormant. As Mr. H.G. Nicholas put it, at Dumbarton Oaks:

"The main gap was on the trusteeship and colonial territories side, where British sentiments as the major colonial power and American prospective interest as a legatee of Japanese colonialism equally dictated avoidance of this topic at this stage." (10)

At San Francisco Due to the above-mentioned vested interests of the Great Powers, this silence on the whole problem of colonialism was carried on at Yalta, where only the Trusteeship system was hammered out. Projected consultations on colonialism before the San Francisco's Conference did not take place. Thus, at San Francisco, the stage was set for a confrontation on the topic of colonialism among the Great Powers and anti-colonial pressure groups, namely the Afro-Asians and British Commonwealth's Dominions, usually supported by the U.S.S.R.

(10) Nicholas, op. cit., p. 4.

"The smaller powers in addition to their role in everything that touched on 'colonialism', also exercised effective pressure to have the economic and social functions of the organization expanded, - e.g. the upgrading of the Trusteeship and Economic and Social Councils to the level of 'principal organs', and the expansion of those clauses which prescribe U.N. obligations and codes of conduct in these fields." (11)

These pressure groups of smaller powers in 1945 were already asking for a submission of all colonies to international control. But, at that time, they were in a minority position and Russia was not so committed to the anti-colonial struggle. For security reasons, agreement among the Great Powers was still considered of the utmost importance and of a nature to override all other preoccupations. The only concessions the anti-colonial pressure groups were able to get in 1945 were the upgrading of the Trusteeship Council to the level of a major organ of the United Nations and a Declaration regarding Non-Self Governing Territories. The important features of the Declaration were: first, an invitation to the administering powers to promote the economic, social and educational advancement of the indigenous inhabitants of the territories; second, the mention of 'self-government' as a goal for all colonies; third, the request for information of a technical nature to be submitted by the administering powers for

(11) Nicholas, *ibidem*, p. 12.

information purposes. It was this request for information which has been mainly responsible, through the establishment (11a) of the Committee on Information, for the outstanding chain of developments taking place at the United Nations in the colonial field.

Starting from this point, the anti-colonial groups advanced more and more demanding rights for the world organization to intervene in the colonial problem. The interventions year by year of the pressure groups in the debates on colonialism at the United Nations remind us of the fact that they had never forgotten the goal of transforming the administration of all colonies into a Trusteeship system. Year by year, they did their best to give the principle of international responsibility in the colonial field as wide an interpretation as possible.

Looking at the evolution in the United Nations on the question of decolonization, one has the impression that the stand of the pressure groups prevailed. The great colonial powers, though refusing to acknowledge the principle of international responsibility, as the pressure upon them increased, bent to these requests, perhaps not in appreciation of the United Nations debates, but in acceptance of political realities in the world. A more careful look at the development of events from 1945 to 1960 will throw some light on the validity of the preceding statement.

(11a) Establish in 1946, following a Cuban amendment to a resolution sponsored by Britain, the U.S.A., Holland and Denmark, concerning the use of information transmitted under Article 73 of the Charter.

From 1946
to 1955

Starting mostly in 1948, the gap between East and West widened. And, with the cold war, the Communist block threw all its weight in behalf of the colonial peoples. The colonial powers too, in order to contain Communism, became more and more understanding toward national liberation movements. At any rate, during the period from 1948 to 1955, the anti-colonialists had a hard time to make their sponsored resolutions pass and to assert the principle of international responsibility. They were still in a minority position and the rules of the Assembly asked for a two-third majority vote for any decision on the colonial problem. On the other hand, the cold war was at its peak and, though in the overall it helped the decolonization process, in this period too many hot issues were at stake to keep the world organization busy: they were the years of the Communist coup-d'etat in Czechoslovakia, of the Communist revolution in China, of the Korean, Indonesian and Indochinese wars. The dialogue between East and West was at its lowest level and the problem of the admission of new members at the United Nations came to a deadlock.

In the meantime, with the independence of India, Indonesia and Indochina, colonialism in Asia was moving fast to an end. The decision in 1950 concerning the

ex-Italian colonies, that is, independence for Libya no later than 1952 and for Somalia no later than 1960, set the tone for colonialism in Africa in the years to come.

At the United Nations, two important developments strengthened the position of the anti-colonialists. In 1953 a simple majority rule was accepted, following the interpretation by the General Assembly president, for decisions on colonial problems. In 1955 a breakthrough occurred in the admission of new members: a package deal agreement saw the acceptance of sixteen newcomers. The up to then assured majority held by the West in the General Assembly became doubtful. Not only the East - West, but also the North - South alignment was affected.

"In 1955 a notable shift in the political balance of the U.N. was produced by the admission of sixteen additional states to member ship ...

"In relation to another familiar U.N. alignment it was probable that at least ten of the new members could be counted as 'anti-colonial'." (12)

With the unconditional support of the communist bloc and of the majority of the newcomers, the pressure groups set the stage for the great anti-colonial battle of the late fifties and early sixties, while the spreading of national liberation movements all over Africa, in particular the victory at the polls of the independence party in Ghana and the hard fightings in Algeria, convince the two major powers, Britain and France, to dismantle, as quickly as possible, what remained of their empires.

(12) Nicholas, op. cit., p. 57.

The Year of
Africa: 1960

The great show of strength of the coloured peoples at the Bandung Conference in 1955 and the cry at the Accra Conference in 1958: "Africa to the Africans", were carried on at the United Nations in 1960, the year of Africa, and the most remarkable anti-colonial Declaration was approved by the General Assembly that year. Many factors concurred to the issuing of this document, which, in principle at least, proposed to bring non-self-governing territories under some kind of a trusteeship system. (13)

The most important factor was surely the influx of seventeen new nations, (13a) following the decision by France to grant immediate independence to her African colonies. This sudden influx of ex-colonial countries changed the whole pattern of the General Assembly majority, and, coupled with the Congo crisis, it focused the attention of the world body on the colonial problem to an extent unprecedented in the history of the United Nations.

The great significance of the event is manifest in the presence of so many heads of states and government leaders attending the fifteenth General Assembly session. (13b) The two Super-Powers seemed to have realized the ever-increasing number of the neutralists of the Third World. The colonial powers probably felt the irrisistibility of the anti-colonial drive.

(13) Kay, D.A., The Politics of Decolonization..., International Organization, Autumn 1967, pp. 786-811

(13a) All from Africa, except for Cyprus

(13b) Nine heads of states, 19 heads of government, 61 foreign or other minister. J.G. Hadwen, op. cit., p. 136.

In such an atmosphere of tension and expectations a little match could have sparked the blaze. The initiative was taken up by Russia.

On September 23, 1960, the Soviet delegation proposed for the agenda of the next General Assembly session an item entitled "Declaration on the Granting of Independence to Colonial Countries and Peoples." (13c) A Soviet-sponsored draft resolution was worked out, both anti-colonial and anti-western in tone, 'demanding' full and immediate independence for all colonies.

The Afro-Asians, fearing that the injection of cold-war issues could have alienated the Western Countries and the Latin-Americans, decided to present a draft resolution to their own, less demanding, more ambiguous. Through long intra-group negotiations, a final draft was prepared which drew heavily on previously approved resolutions at Bandung in 1955, Accra in 1958, Addis Ababa in 1960.

When debates on the two draft resolutions started, on November 28, 1960, the Afro-Asians and the Soviet bloc did their best to show the negative side of colonialism, the Western powers and the Latin Americans insisted on its contributions to the advancement of the coloured peoples.

When the vote was called, on December 14, 1960, the Soviet draft resolution was defeated, the Afro-Asian one

(13c) U.N. Document A/4501.

approved with none against and only nine abstentions. (13d)
The abstension of the U.S.A. seems to have been decided personally by the President, following an appeal by the British Prime Minister. A new administration could have showed different feelings, as the stand of the U.S.A. in 1961, concerning the establishment of the Committee to implement the Declaration, proved.

The passing of the anticolonial resolution was surely a victory for the Afro-Asians, but it was only a beginning. As in 1946 a Committee, the Committee on Information had been requested to implement Chapter XI of the Charter, the same request was made in 1961 for the implementation of the Declaration of the previous year. Once again the Russians took the initiative and the Special Committee of Seventeen, enlarged in 1962 to Twenty-four, was established.

Since both the substance of the declaration and the political climate was different from 1945, the composition also of the Committee of Twenty-four differed from that of the Committee on Information.

The principle of equal representation of administering and non-administering powers was abolished in favour of a more geographical representation, which gave the anti-colonialists a built-in majority, the strength of which they intended to use. As a matter of fact, after an attempt at working out an agreed approach, it was decided to adopt voting procedures for

(13d) See Annex 1X A)

determining the organization and priorities of the Committee, and for the issuing of recommendations.

In 1962, the political spectrum within the Committee, which has been almost unchanged through the years, was as follows: twelve Agro-Asian countries, four from the Communist side, four Western powers, three Latin-Americans, one Scandinavian (13e)

We have insisted on the political situation in 1960, since it is this alignment of dynamic forces which must be kept in mind to interpret the work of the Committee of Twenty-four, as it is presented in Chapters Two and Three of this thesis.

(13e) See Annex VI

Summary and
Conclusion on the
Political Context
of Decolonization.

The dynamic force of national liberation movements within the territories and of the anti-colonialists at the United Nations, both acting in an international climate of cold war, may explain why the loose principles of the Charter of 1945, of the Universal Declaration of Human Rights of 1948, of the Draft Covenants of 1952, were embodied in more and more compelling resolutions. The pressure of the anti-colonial groups has been at the root of the new organs, such as the Committee on Information and the Committee of Six, which were created to look after non-self-governing territories. This same pressure has helped translating words into deeds and making decolonization almost a fait-accompli in less than two decades.

From the request for information one demanded the right of examining information and the setting of machinery both to examine information and to make recommendations. From the right of determining when information should cease being furnished, one expected to determine when it should first be required. From the anti-colonialist declaration of 1960,

echoing the Bandoeng Conference of 1955, to the Committee of Twenty-Four the way was straight and short.

Probably it would be childish to believe that the development in the colonial field was due, to a great extent, to the action of the United Nations. Many other agents, external as well as internal to the territories, played a more significant role, such as the national liberation movements. The cold war also seems to have been of great importance, as it has already been pointed out. So much so that, according to Inis Claude, to understand the decolonization process we should read the Charter in the light of the cold war:

"In short, decolonization has triumphed largely because the West has given priority to the containment of communism over the perpetuation of colonialism." (14)

But, as the same author is quick to add, the role of the United Nations was also appreciable, at least in the sense that

"The new law, the law of the United Nations was held to delegitimize colonial possessions." (15)

Let us now go on and see in more details what this law is and how it has been expanded and interpreted.

(14) Inis Claude, op. cit., p. 55.

(15) ibidem, p. 60.

2. Juridical Texts or the General Principles of Decolonization at the United Nations.

We are concerned here only with general principles. Their interpretation and more concrete recommendations will be considered while taking a look at the Committee on Information.

A selection of documents is necessary. What matters is that it be representative of the spirit and actions of the Organization for the period under consideration.

Among the main United Nations documents on decolonization we shall pick and pay particular attention to chapters XI-XXII of the Charter of 1945; to the universal Declaration on Human Rights of 1948; to the Covenants on civil, political, economic, social and cultural rights of 1952; and most of all, to the Declaration on the granting of Independence to colonial countries and peoples of 1960. The above-mentioned documents seem to reflect the three phases of the decolonization process at the United Nations from 1945 to 1960. The Charter provides us the starting point in 1945. The Universal Declaration on Human Rights and the Covenants show the general trends from 1946 to 1955, with an emphasis on human rights. The anti-colonial Declaration of 1960 represents both the culmination of an almost victorious struggle and the opening of a new era in colonial relations, at least in principle.

First Chapter XI-XIII of the Charter.
Phase
1945

The general principles on decolonization contained in the Charter can be reduced to three. The first principle draws attention to the primary importance of the interests of the indigenous populations over those of the metropolitan countries. (16) The second refers to the right of self-government (17) for all colonial territories, trustees as well as simple colonies. The third recalls the voluntary aspect in the submission of both mandates and simple colonies to international control. (18) But these general principles do apply differently to the two sections of the Charter on colonialism, namely non-self-governing and trust territories.

Chapter eleven on non-self-governing territories, proclaims the duty of the colonial powers to take care of the progress of the dependent peoples in the cultural, political, social and economic field. Information of a technical nature should be submitted regularly to the Secretary General. But, no structure for control was envisaged, by the Charter, for non-self-governing territories, the principle of internal jurisdiction being still fully applied to colonies.

(16) U.N. Charter, Article 73

(17) U.N. Charter, Article 73, b

(18) U.N. Charter, Article 75

The Trusteeship System, on the contrary, proposed more definite goals for trust territories: autonomy and independence. The structures for control are embodied in the Trusteeship Council, which in its composition and tasks accentuates international responsibility and the political nature of the system.

Briefly, from the point of view of our research, we may retain this: with regard to non-self-governing territories, the principle of internal jurisdiction is paramount; for trust territories, the principle of international responsibility prevails.

Second Phase:
1946-55. Universal Declaration on Human Rights.
This document, approved by the General

Assembly in 1948, contains thirty articles on civil, political and socio-cultural rights, all of which are applicable to colonies.

Article 19 on freedom of opinion and expression, and article 20 on freedom of assembly and association, with their political overtone, may have played a role in the decolonization process, since they covered with legitimacy the organization of national liberation movements.

But, it is article 21 which explicitly recognizes the right of the indigenous population to take part in the government of their country and in the overall political process:

"Everyone has the right to take part in the government of his country, directly or through freely chosen representatives." (19)

"Everyone has the right of equal access to public service in his country." (20)

The democratic form of government must not be limited to metropolitan countries, but it should be extended to colonies:

"The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures." (21)

Of course, one must define a "people"; but if the foundation of public authority is the popular will and if this will should be expressed through free elections force should not be employed by colonial powers against national liberation movements.

In the social field, the declaration stresses the right of the population to social security:

"Everyone... has the right to social security and is entitled to realization ... of the economic, social and cultural rights indispensable for his dignity and the free development of his personality." (23)

(19) Universal Declaration on Human Rights.

(20) Ibidem, Article 21, para. 2.

(21) Ibidem, Article 21, para. 3.

(23) Ibidem, Article 22.

Strong recommendations are advanced for a system of remunerated labour and unions' organization as well as for the achievement of a decent standard of living. Elementary school must be generalized and higher education extended:

"Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit." (24)

Covenants on civil and political rights.

In this document of the United Nations of 1952, the principle of decolonization and self-determination of peoples is strongly upheld:

"All peoples and all nations shall have the right of self-determination, namely, the right freely to determine their 'political economic, social and cultural status.'" (25)

Obviously, to this right of dependent peoples corresponds a duty of the colonial powers to ensure the exercise of such a right:

"All states, including those having responsibility for the administration of non-self-governing and trust territories and those controlling in whatsoever manner the exercise of that right by another people, shall promote the realization of that right in all their territories..." (26)

(24) Ibidem, Article 26

(25) Draft Covenant on Civil and Political Rights, Art. 1, Para. 1; in Yearbook on Human Rights for 1952, p. 425.

(26) Ibidem, Article 1, Para. 2.

One goes even further, and, probably for the first time, the necessity of an economic decolonization is pointed out:

"The right of the peoples to self determination shall also include permanent sovereignty over their natural wealth and resources. In no case may a people be deprived of its own means of subsistence on the grounds of any rights that may be claimed by other states." (27)

Since neither the political nor the economic decolonization are meaningful without a cultural decolonization, the United Nations insist on the necessity and urgency of a generalized and free elementary school system. A time table for the achievement of such an objective is suggested:

"Each state party to the covenant which, at the time of becoming a party to this covenant, has not been able to secure in its metropolitan territory or other territories ... compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for ... compulsory primary education free of charge for all." (28)

Thus, one realizes that in the above-mentioned documents not only the necessity of a political, economic and a cultural decolonization is put forward, but also the means are suggested:
self-determination through free elections and generalized education.

(27) Ibidem, Article 1, para. 3.

(28) Draft Covenant on Economic, social and cultural rights, Art. 15; in Yearbook on Human Rights for 1952, pp 429-30.

Third Declaration on the Granting of Independence to
Phase Colonial Countries and Peoples.
1960

But the most important United Nations' document on decolonization is, surely, the "Declaration on the granting of independence to colonial countries and peoples" of December the 14th, 1960. This declaration resumes all past efforts and sets the tone for all future activities of the world organization in the field of colonialism. It represents the "Magna Carta" of the Committee of Twenty-four and it is in itself the proof that political decolonization had succeeded. As a matter of fact, the passing of such a resolution would have been impossible without the presence of the Afro-Asian group of new nations, that is, of ex colonies.

The General Assembly, therefore," conscious that well being and peace are based on the respect for the principles of equal rights and self-determination of peoples; recognizing the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence, as well as the important role of the United Nations in assisting the movement for independence in trust and non-self-governing territories", expresses its conviction that

"the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace."

The right of the peoples of colonial territories freely to dispose of their wealth and natural resources is reaffirmed.

The General Assembly also believes that

"the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to colonialism and all practices of segregation and discrimination associated therewith..."

Moving to operative paragraphs, the declaration reaffirms the right of all peoples to self-determination:

"by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." (29)

And, what is more striking, the General Assembly declares that "inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence."

Consequently, the declaration urges the administering powers to cease all armed action against dependent peoples and to take immediate steps for the transfer of powers to the peoples of colonial territories.

(29) Declaration on the Granting of Independence, A/Res. 1514, 1960, para. 2. For the whole text see Annex X

Evaluation of the Evolution
of the Decolonization's
Principles at the U.N.

If we want now to look back and
try to catch the meaning of the
development of the decolonization's

principles, it can be fairly stated that in 1945 the Charter spoke in terms of self-government, the following documents insist more and more on self-determination, a much broader concept which includes self-government, independence or free association.

In other words, in the Charter the predominant point of view is that of the administering powers. All Chapter XI is, in fact, presented as declaration of intention or of principles by the administering powers. Self-government is almost a gift. The colonial powers assume "obligation" but the colonial peoples seem to have no "rights". The word "right" never appears in the whole chapter. Though, already in 1952, the Arab countries in their dispute with France over Tunisia (30), claimed that the problem of colonialism had been internationalized by Chapter XI of the Charter, it seems hard to find support for such a claim in the wording of the declaration. Also if there are responsibilities, it is the administering powers which freely assume them, not the world organization as such which imposes them upon the administering powers.

(30) U.N. Yearbook, 1952, p. 274.

But, starting with the Universal Declaration on Human Rights of 1948, the centre of interest is shifting. One moves resolutely from the point of view of the administering powers to the point of view of the colonial peoples. The principle of self-determination is clearly asserted in so far as it is stated that the will of the people, expressed through free elections by universal suffrage, must determine the future of a country. One also speaks more and more in terms of rights: the colonial peoples have the right to take part in the public service of their territories; they have the right to social security and education.

With the covenants of 1952 the principle of self-determination is emphasized in its cultural and economic as well as in its political aspects. In the years to come, the struggle for decolonization moves further from the general to the particular, from self-government to independence, from unconditional self-government to unconditional independence.

Thus, the internationalization of the colonial problem becomes evident in the fact that the world organization as such is considered to be the interpreter of the colonial peoples and their speaker, without taking too much into account the will of administering powers, often against such will, and, one is tempted to say, sometimes going beyond the will of the colonial people themselves.

When the declaration of 1960 was passed, charged with all the anti-colonial feelings of the new comers, a theory of colonialism or, rather of anti-colonialism, had been developed. Colonialism was condemned both on security and welfare ground. Unconditional and immediate independence was claimed to be the only viable solution for all the evils afflicting colonial peoples.

A duty and a right of the United Nations to do all it could to bring about the end of colonialism was affirmed. As a matter of fact, with the creation of the Committee of Twenty-four, the administration of non-self-governing territories was meant to be transformed into a Trusteeship system.

It is, therefore, easy to agree with Mr. Sady, when he suggests that, after all, the United Nations had really something to say in the decolonization process:

"The lofty principles contained in Chapter XI of the Charter, the section on self-determination and racial equality in the Universal Declaration of Human Rights and the draft covenants, and the debates in the United Nations on colonial issues have probably contributed indirectly to the rise of nationalism, to policy changes, and to constitutional advances in dependent territories." (31)

(31) Sady, op. cit., p. 44)

All this development would have been impossible without the dynamic force of the pressure groups and their increasing number. But also a dynamic force, if unchannelled and unco-ordinated, probably will not get too far. Let us now look at the channels, which made this force effective and almost irresistible, that is, let us look at the institutions created for the implementation of the principles of decolonization.

3. Institutional Framework of the Decolonization Process.

After a brief discussion of the Trusteeship Council, a more thorough examination of the Committee on Information, which has been the battlefield of the decolonization issues with regard to non-self-governing territories from 1946 to 1961, will be provided.

a. Trusteeship Council.

The Trusteeship system (32) was supposed to include the mandated territories of the League of Nations, all territories detached from enemy states as a result of the Second World War as well as any territories "voluntarily placed under the system" by the colonial powers. No simple colony was in fact placed under the Trusteeship system. The increasing impact over time of the Trusteeship system on the non-self-governing territories will prove to be, significant, none the less, as can be shown by a comparison of the Trusteeship Council's composition, functions and achievements with those of the two main committees on non-self-governing territories: the Committee on Information and the Committee of Twenty-four.

The Trusteeship Council was composed half by administering powers and permanent members of the Security Council, the other half being drawn from non-administering states,

(32) See Annex III

elected by the General Assembly. The main functions of the Trusteeship Council are the following: to consider annual reports from administering authorities, to accept and examine written or oral petitions, to send visiting missions to territories.

Annual reports from administering authorities have covered political and economic as well as social and educational matters. Written petitions have also been wide-ranging, dealing with such matters as difference in wages between Africans and Europeans; complaints against the abuses of authority by a local chief or the appropriation of land by Europeans; the loss of a job, due to political activities; appeals against the judgement of a court or complaints due to the poor conditions of health and educational facilities. As for oral petitions, the General Assembly has been more generous in accepting them than the Trusteeship Council. The General Assembly, because of a larger audience, has also been the forum chosen by petitioners to voice their complaints. But the most significant role of the Trusteeship Council seems to have been played by visiting missions. Composed of representatives from four member states, missions usually carried out visits every three years for a period of three months. The visiting missions often aroused great expectations among the indigenous populations; their task was not only to gather information, but also to evaluate situations and policies:

"The great increase in the petitions to visiting missions reveals the extent to which petitioners believe the U.N. to be the arbiter of their future. The missions have the insuperable task of weighing the extent to which the petitions and other manifestations of sentiment reflect public opinion generally in the territory." (33)

This direct contact between the Trusteeship Council and the Trust territories has been the most salient feature of the system. It probably accounts in large measure for the Council's achievements which, according to Mr. Sady, are not negligible:

"The Trusteeship system has produced impressive results despite its weaknesses, the conflicts it has caused among member nations, and the confusion it has provoked among the people of some trust territories. It has fostered greater political participation by the indigenous inhabitants at territorial and local levels of government, not only in trust territories, but also in some cases in neighbouring territories." (34)

All trust territories, except for the Pacific Islands, have actually achieved independence. Thus, the Trusteeship Council has really accomplished its mission through the years from 1946 to 1958, setting also an example to be followed in the administration of non-self-governing territories.

(33) Sady, op. cit., pp. 150-151

(34) Ibidem, pp. 182-183

b. Committee on Information (35)

With regard to non-self-governing territories only a declaration of principles can be found in the Charter: no organ for control was foreseen. At any rate, the word "self-government" was there and it was agreed to be one of the goals to be promoted by the United Nations in regard to non-self-governing territories. Further, the example of the Trust Territories, called to full independence, could not go unnoticed in the age of telecommunications. Ideas cannot be contained by rivers or mountains or juridical fictions. Above all, the independence of India in 1948, which meant the beginning of the end of the greatest colonial empire, that of Britain, and the time table for independence of the ex-Italian colonies, determined as early as 1950, played a basic role in the history of decolonization and set the tone for the Committee's request for greater powers.

Establishment and Composition
of the Committee on Information.

Chapter XI of the Charter asked for information on non-self-governing territories. But, what is the use of information that does not inform? And how can it inform without being carefully examined? In other words: some institutional machinery and procedure were needed. Thus

(35) For more detailed information on the topic, see Sady, *op. cit.*, the section concerned.

as early as 1946, a sub-committee of the Fourth Committee, called "Ad Hoc Committee on Information", was established, its membership being equally divided between administering and non-administering powers. In 1947 the word "ad hoc" was changed to "special", which disappeared in 1952. These changes in words were stubbornly opposed by the colonial powers which feared the establishment of a permanent committee on non-self-governing territories, and realized that a change in words could in fact lead to an enlargement of the responsibilities of the United Nations in the colonial field:

"Furthermore, they feel that the establishment of such an organ would set a precedent that might tend to justify the granting of powers to it by the General Assembly similar to those that the Trusteeship Council exercises." (36)

These apprehensions of the administering powers were well founded, as a brief survey of the Committee's tasks and main fields of activities will show.

Tasks of the Committee on Information.

The general task of the Committee on Information was to examine information transmitted under article 73, in order to submit to the General Assembly some reports and general recommendations of a technical nature on the

(36) Ibidem, p. 75.

problems of non-self-governing territories. The Committee on Information, therefore, was conceived as an auxiliary body of the General Assembly for the examining of information, the exchange of experts and the allocation to colonial territories of the technical resources of international agencies.

The specific tasks assigned to the Committee on Information, through the years, have been the following: to make recommendations on the implementation in colonial territories of the Universal Declaration on Human Rights; to facilitate the participation of representatives from non-self-governing territories in the works of the Committee; to establish the factors for determining a non-self-governing territory and to study the possibilities of implementing the principle of self-determination in the colonial field.

Main Fields of Activity.

Since the Committee was supposed to assist the General Assembly, it met each year for the few weeks immediately preceding the General Assembly's session. The influence of the Committee in enlarging the actual responsibilities of the United Nations in the colonial field may be seen by examining some of its activities, namely: the establishment of conditions required for ceasing to submit information on particular territories; the

determining of factors characterizing a non-self-governing territory; the request for political information.

Conditions for the Ending of
Information on Particular
Territories.

After the war, seventy-four colonies (37) were listed as non-self-governing territories by the colonial powers. But, as early as 1948, eleven of them were declared no longer subject to the provisions of Chapter XI of the Charter. This unilateral decision, taken by the administering powers, was highly controversial in the eyes of the anti-colonial pressure groups. Was the General Assembly not to be consulted? On December the 2nd 1949 a resolution (38), sponsored by Egypt, was approved, reaffirming the competence of the General Assembly in determining the principles, which should guide colonial policies, and the competence of the Committee on Information in establishing the factors, which define a non-self-governing territory. On December the 12th. 1950, a new resolution (39) asked ~~the~~ colonial powers to submit information on the new constitutional status of the territories, before ceasing to furnish information about them.

This issue of when one could cease to provide information, the first serious matter that was tackled by the Committee, provided it with the opportunity of asserting the competence of the General Assembly concerning the colonial

(37) See Annex IV

(38) A 1 Res. 334 (IV)

(39) A 1 Res. 448 (V)

problem. The Committee recognized that it was up to the administering powers to submit the list of their non-self-governing territories. But, once a territory had been listed as non-self-governing, it was subjected to a certain kind of international control which gave the world organization some say in determining its future.

Factors Determining
Non-self-governing
territories.

In 1951 the Committee began its study of such factors, with the evident purpose of strengthening the principle of international responsibility in regard to colonies and of giving to the concepts of "self-government" or "independence" the widest possible interpretation. By establishing a list of these factors, the Committee, indirectly at least, claimed some responsibility for all non-self-governing territories.

On December the 10th., 1952, a special ad hoc Committee (40) was established to define "self-government", to determine the characteristics of "self-determination" and, finally, to clarify what constitutes a freely expressed popular will in regard to the choice of a national political system.

On August the 4th. 1953, the ad hoc committee for the determination of factors presented its report, which was

(40) A/Res. 648 (VII)

approved by the General Assembly on November the 27th. 1953, by a vote of 32 to 19 with 6 abstentions, after nineteen amendments to change the list of factors and ten amendments to clarify the competence of the General Assembly were passed. (41)

The Committee realized the impossibility of defining the concept of "self-government", but it provided some general recommendations as well as a list of factors related to independence, self-government or free association.

The Committee's general provisions can be summed up as follows:

the list of factors should guide the General Assembly in the formulation of its recommendations concerning non-self-governing territories;

each case must be studied individually and in the light of its peculiar circumstances;

"self-government" applies also to the political field and it must be extended to encompass the right of independence or free association;

self-government must not be denied to a colony on the grounds that some factors are lacking and the territory is still too underdeveloped.

Among the factors related to the granting of independence, the Committee mentioned the ability to assume international responsibility through the conclusion and

(41) A/Res. 742 (VII)

implementation of treaties; full autonomy in administrative matters of an economic, social and cultural nature; absolute freedom to choose the form of government one prefers; eligibility to membership in the United Nations; right and capability to provide for national defense.

The most relevant factors or signs of self-determination and self-government were meant to be: the existence of sufficient political maturity to enable the population to take a responsible decision; freedom of choice among political alternatives, that is, among different systems of government and parties; absence of any coercive measure in political matters and insurance by the colonial powers of fully respecting the freely expressed will of the people; implementation of a representative form of government, capable of protecting individual rights and completely autonomous in the administration of domestic policies.

Free association, according to the Committee, should comprise all the factors of the preceding category, plus the following: equal representation in the legislative bodies of the metropolies; equal rights of citizenship of the people of the territory with the citizens of the mother-country; and, of course, free elections.

Request for Transmission
of Political Information.

There was no mention in the Charter for transmission of political information on non-self-governing territories. But, it was to be expected that the representatives of the anticolonialist pressure groups within the Committee would ask for such information to be transmitted. Thus, in 1952 for the first time, transmission of political information was strongly recommended (42). The administering powers, at first, were reluctant, but later on they accepted, more or less, to comply with the wishes of the General Assembly's majority; though on a "voluntary" basis. Portugal, on the contrary, has always opposed such a request.

To conclude this rapid survey on the Committee on information, one may also refer to some attempts by the Committee to establish direct contacts with the people of non-self-governing territories. A world conference to be attended by representatives of colonial peoples was proposed by the Philippines. Regional meetings were held periodically by the committees on the Caribbean and South Pacific territories. The status of associate members in the Committee on Information for non-self-governing territories was foreseen. (43) Colonial powers were also invited to add to their delegations some qualified indigenous people.

(42) A/Res. 647 (VII), December the 10th. 1952

(43) A/Res. 566 (VII) January the 18th. 1952

The Committee on Information remained the most active United Nations' organ for non-self-governing territories until it was dissolved on December the 16th. 1963, and its tasks were handed over to the Special Committee of Twenty-four.

Summary and Evaluation

To sum up, in regard to trust territories, the United Nations system, acting mainly through the Trusteeship Council, from the start entailed a recognition of international responsibility. This was evident in the right of the Council to entertain direct contact with the peoples involved, to send visiting missions, and to become involved in specific domestic issues.

The Committee on Information, on the contrary, had at the beginning, an extremely limited task with respect to non-self-governing territories, that is, to examine information "transmitted" under article 73 and to formulate "general" recommendations. But the Committee, linking chapter XI of the Charter to article one, para. 3, on human rights, and to article 55 on self-determination and international cooperation, soon advanced further claims as to the right of the organization as such to have some say with regard to colonial administration, and to express the views of the colonial peoples.

Insisting on and clarifying the concept of self-determination to include self-government, independence or free association, the Committee also claimed for the world organization a right to express views bearing on colonial policy at all stages.

In retrospect, it might be said that the Committee on Information was mainly concerned to advance the concept of self-government. By contrast, the issue of independence will be the preoccupation of the Committee of Twenty-four.

Now, should we try to evaluate the role of the Committee on Information, it seems fair to state that it has been rather a positive one.

First of all the committee has proclaimed the competence of the General Assembly in colonial problems by the simple fact that it listed the factors determining a non-self-governing territory and established the conditions required for the ending of information.

Further, the committee has given the widest possible interpretation to the concept of self-determination, which should not be limited to the economic, social or cultural field, as it was proposed by France and Holland, but which should be extended to cover the political aspect of the problem, thus including the goal of self-government and independence, as it was claimed by Cuba, El Salvador, Guatemala and the Philippines, in particular.

Finally due to its pressure and activities, the Committee has made easier not only the changing of ideas, but also the adaptation of some institutions and the adoption of new procedures such as the simple majority rule, instead of a two-thirds, in all decisions affecting colonies.

CHAPTER TWO

THE SPECIAL COMMITTEE OF TWENTY-FOUR

Statement of Purpose and
Division of the Chapter.

Taking into account the main focus of the thesis, we will not go into many details, but we will say on the Committee just what is necessary to elucidate its contributions to the evolution of the idea of international responsibility in the colonial field, both in principle and in practice.

For that purpose, we will divide the present chapter in three sections.

Firstly, we will deal with the "facts" about the Committee, that is, its establishment, organization and prescribed tasks.

Secondly, the "performance" of the Committee, namely its activities and most important fields of interest, will be surveyed.

Thirdly, to conclude this chapter, we will make the point on its "contributions" to the development of the concept of international responsibility in the colonial field.

1. Establishment, organization and prescribed tasks of the Committee of Twenty-Four.

Establishment of the Committee of Twenty- Four

The special Committee on Decolonization, later called also the Committee of Twenty-four (1) was established by the General Assembly on November 27, 1961, to implement the Declaration on the Granting of Independence to colonial countries and peoples of the previous year.(2) At first, the Committee was composed of seventeen members, which were appointed on January 23, 1962. The Committee held its first meeting on February 20, 1962.

During the same year membership in the Committee was enlarged to twenty-four (3) and it was suggested to concentrate responsibility for all colonial issues under its authority. Thus, existing committees on colonial matters, such as the one on South West Africa (4) and the committee on Information (5) were abolished and their tasks handed over to the Special Committee of Twenty-four (6).

Consequently, in 1964, the Special Committee had already become "the only organ of the United Nations charged with colonial questions, except for the Trusteeship Council..."(7)

(1) A/Res./1654 (XVI), Nov. 27, 1961

(2) A/Res/1514 (XV), Dec. 14, 1960

(3) A/Res/1810 (XVII), Dec. 17, 1962

(4) This committee was dissolved by General Assembly Resolution 1806 (XVII) of Dec. 14, 1962.

(5) Dissolved on December 16, 1963

(6) A/Res/1805 (XVII)

(7) U.N. Monthly Chronicle, June 1964, Vol. 1, No. 2, p.90.

Organization of the
Committee of
Twenty-four (7a)

Since it was up to the Committee to set its procedures and organizational framework, it divided itself into a permanent working group, three regional permanent sub-committees, and a few special ad hoc sub-committees.

The "working group" is made up of the Committee officers plus four other members. It is mainly responsible for the Committee's time-table and for the agenda of work of all sub-committees.

The purpose of the three regional sub-committees is to make the study of territories easier, dividing the activities on a regional basis. In 1964, for instance, Sub-Committee I was in charge of Mauritius, Seychelles, St. Helena; Sub-Committee II of the Territories in the Pacific Area; Sub-Committee III of those in the Caribbean.

Among the special sub-committees those on Questionnaires and on Petitions, particularly, deserve mention. In addition, from time to time, special Sub-committees on individual territories, such as Aden or Angola, were established.

But, what makes the Committee of Twenty-four an unprecedented U.N. institution with regard to non-self-governing territories is not so much its organization, it is its composition, no longer based on parity among administering and non-administering powers, but fully reflecting the pattern of the General Assembly, anti-colonial majority (7a). Consequently its tasks are of greater magnitude than those of its fore-runner, the Committee on Information.

(7a) See Annex VI, Section B.

Tasks of the
Committee of
Twenty-four.

The purpose of the Committee of Twenty-four consists in the implementation of the Declaration on the Granting of Independence to colonial countries and peoples. Its main aim, in the words of a United Nations' press release, are:

"to expose the facts, analyze the problems, propose measures for their solutions, and mobilize world opinion and appropriate United Nations organs in favour of the speedy implementation of its recommendations". (8)

We may then reduce the tasks of the Committee to three:
first, the right to collect and examine INFORMATION;
second, the power to make RECOMMENDATIONS;
third, the effort to improve CO-ORDINATION of activities among all U.N. organs in the field of decolonization.

Right to
Obtain
Information

To get information the Committee could rely on indirect sources, such as the reports of the Secretary General, magazines, Governments publications or information transmitted under Article 73 of the United Nations Charter as well as on more direct sources, namely the rights to hear petitions, to send visiting missions to the Territories and to hold meetings away from Headquarters.

(8) U.N. Press Release, G.A./Col./611, June 23, 1967, in International Conciliation, Sept. 1967, No. 564, p. 56.

The right to hear petitioners (9) and to send visiting missions are two new features of the Special Committee of Twenty-four, in respect to the Committee on Information, and their impact on the peoples concerned cannot be discounted.

"Many petitioners revealed an almost mystical faith in the powers of the U.N. to force the administering powers to grant them immediate independence." (10)

Of course, we may ask whether the Committee is not raising expectations it cannot fulfill: to hear petitioners is easy, to help them realizing their dreams may be quite another matter.

As for visiting missions (11) only a few administering powers allowed the Committee to have access to their non-self-governing territories. New Zealand proposed a visiting mission for the Cook Islands in 1965, England for Aden and Spain for Equatorial Guinea in 1966. The United States, France and Portugal, on the contrary, have always refused to allow visits by the Committee's envoys.

As an illustration, special attention will be given later to the visiting mission to Equatorial Guinea.

(9) In 1965, for instance, the Committee received 197 communications; fifty petitioners were heard. In 1966, 243 communications reached the Committee, including fifty-eight requests for hearings.

(10) International Conciliation, Sept. 1962, No. 534, p.66.

(11) A/AC. 109/298; A/6700 (Part 1), Dec. 5th, 1967, pp. 38, 56, 57; A/AC. 109/L.395, L.401/Rev. 1

Generally speaking, we can agree that

"...especially with respect to the Small Territories, visiting missions had an indisputable value; they were a means of securing adequate information on conditions in the Territories and on the views, wishes and aspirations of their inhabitants." (12)

Power to
Make
Recommendations.

The right to first-hand information made it possible for the Special Committee to formulate concrete recommendations on very specific items and for individual territories. Year by year, following the reports of the Special Committee, the General Assembly adopted many resolutions stressing the urgency of the problem of decolonization and suggesting ways and means for solving it. A brief survey of a few of such resolutions confirms this assertion.

General Assembly Resolution 1810, for instance invites the Special Committee

"to propose SPECIFIC MEASURES for the complete application of the Declaration..." (13)

Subsequent resolutions (14), which are the results of Special Committee's findings and recommendations, touch upon all the items, that keep the Committee busy.

(12) A/6700, Part 1, p. 16.

(13) A/Res./1810, para. 8, b.

(14) A/Res/2105, 2189, 2326 and 2465.

The larger colonies in the southern part of Africa and the problem of small territories are of the greatest concern to the United Nations. Requests to fix a deadline for the accession to independence of their colonies and to dismantle military bases in non-self-governing territories are repeatedly addressed to the administering powers. Attention of all member states is drawn to the problem of refugees from non-self-governing territories and to the abuses of foreign economic interests as well as to discriminating immigration policies and to the use of mercenaries against the indigenous population of such territories. Finally the necessity to promote dissemination of information on the work of the United Nations in the field of decolonization is insisted upon.

Of particular interest is the fact that the Committee acknowledges:

"the legitimacy of the struggle of the peoples under colonial rule to exercise their right to self-determination and independence and urges all States to provide material and moral assistance to the national liberation movements in Colonial Territories." (15)

Proposals, such as the holding of a Conference of representatives from Non-Self-Governing Territories and the establishing of a Preparatory Committee for the Tenth Anniversary of the Declaration, are indicative of the Committee's vitality and of its tactics designed to exert all the moral pressure, of which it is capable, to end colonialism.

(15) A/Res./2189 (XXI), para. 7.

Effort at Co-ordination
of U.N. Intervention
in the Colonial Field.

In seeking to co-ordinate all United Nations activities for the implementation of resolutions on non-self-governing territories, the Committee has frequently addressed itself to other United Nations' organs, in particular to the Security Council and to Specialized Agencies, mostly with regard to the search for some means of forcing progress concerning the difficult situation in the Southern part of Africa.

Resolutions 2311 and 2426 are entirely addressed to the Specialized Agencies and other international organs, which are urged to co-operate with the Committee and to support national liberation movements.

The request of the Committee, asking the Bank for International Reconstruction and Development to withdraw its assistance to Portugal, will be more carefully examined in the chapter on Angola.

Before proceeding to a survey of the Committee's activities, a few words will be useful on the relations of the Committee to other United Nations bodies. The Committee of Twenty-four, as it has already been said, is a special committee of the General Assembly and a sub-committee of the Fourth Committee on Trusteeship and Non-Self-governing

Territories. It can, therefore, present its reports and recommendations to the General Assembly directly or through the Fourth Committee. From time to time, the committee has been granted the power to make recommendations also to the Security Council or to the specialized agencies. Consequently, it can be assumed that all the work, research and recommendations, on non-self-governing territories is mainly carried on by the Committee of Twenty-four, usually in close collaboration with the Secretariat. Therefore, also when in this thesis we refer to General Assembly's or the Security Council's resolutions on non-self-governing territories, we refer indirectly to the work of the Committee of Twenty-four, at least for the period starting in 1962.

As a matter of fact, the committee's recommendations have been taken over by General Assembly's resolutions, usually without very substantial changes.

2. Activities and Main Fields of Interest of the Committee of Twenty-four.

While the Committee on Information used to hold its meetings only for a few weeks in advance of General Assembly sessions, the Special Committee of Twenty-four, to carry on its tasks, has been sitting every year from February to November almost without interruption. (16) Its agenda, nonetheless, has been very often overloaded (17).

Since we cannot presume to examine all the activities of the Committee, we endeavour to select for a more thorough analysis a few of the most significant ones.

The main fields of interest of the Committee have already been listed. We will examine four of them: the question of military bases, of refugees, of foreign economic interests and of small territories. The problem of military bases and of refugees will be only mentioned here. More attention will be given to the question of foreign economic interests and to that of small territories.

(16) A/6700 (Part 1), Dec. the 5th, 1967, pp. 49-52; A/AC 109/L.454, March the 18th, 1968.

(17) In 1962, for instance, from Feb. 20 to Sept. 19, the Committee held 117 meetings, including nineteen in Africa, with regard to twelve Territories. In 1963, twenty-six Territories were examined. In 1964 reports were prepared on fifty-five Territories. Between the 6th of April and the 10th of November of 1965, the Committee with its seventy-four meetings, including thirty-five in Africa, took a close look at fifteen Territories. The ninety meetings, forty of which were held in Africa, from the 8th of March to the 30th of Nov. 1966, covered fifty-one Territories. The two sessions of 1967, one ending on May 31st the other lasting from July 17 to Aug. 25, were concerned mostly with specialized items, such as foreign economic interests, military activities in non-self-governing territories and visiting missions.

a. Military Bases (18)

The problem of military bases and activities is touched upon time and again in the General Assembly's resolutions, mainly from 1965 on. But the first written request addressed to administering powers, asking them to supply information on military activities in non-self-governing territories was made on April 11, 1967. On that occasion the Under-Secretary for Trusteeship and non-self-governing territories asked the administering powers

"to provide information on military activities and arrangements in Territories under their administration." (19)

The answer was not encouraging. New Zealand stated that she knew of no military activities in her Territories. All other powers refused to comply with the request because the Charter made no mention of military information. Some of the non-administering members of the Committee had also strong reservations. Italy, for instance,

"stated that a broad consensus had never been achieved on the highly controversial question of military bases: for example, forty-six Member states had not supported General Assembly Resolution 2189 (XXI). That question was only a part of the general problem of disarmament and almost all Member States were in agreement that it must be considered in conjunction with other disarmament problems." (20)

(18) A/6700 pp. 133-136; A/7200 (Part 2)

(19) A/6700 (Part 1), Annex IV, p. 133

(20) A/6700, p. 90

- b. Training facilities for refugees (21)
from non-self-governing territories.

We are constantly reminded of the problem of Refugees in almost every resolution of the General Assembly on colonialism, but Res. 2234 and Res. 2349 are entirely on this topic. They are mainly concerned with training facilities for inhabitants of non-self-governing territories.

Res. 2234 refers to training facilities with respect to all colonies. The General Assembly urges Member-States to continue to offer scholarships and to facilitate the travel of students. It requests Member-States, the Secretary General and Specialized Agencies to take care of the dissemination of information about the scholarships offered. It invites the administering powers concerned to take all measures necessary to ensure that all scholarships and training facilities are utilized by the inhabitants of the non-self-governing territories...

Res. 2349, instead, is directed mainly to refugees from Southern Africa. Its main aim is to consolidate and integrate training programmes for these territories. Co-operation among the United Nations' High Commissioner for Refugees, the Director General of UNESCO, the heads of specialized agencies, and the Administrative Secretary-General of the Organization of African Unity is highly

(21) A/Res. 2234 (XXI), Jan. 6th, 1967;
A/6700, pp. 128-132;
A/Res. 2352 (XXII) Jan. 8th, 1968;
A/Res. 2349 (XXII), Jan. 16th, 1968.

recommended. The creation of a committee of seven for the granting of subventions is welcomed. The program is to be financed by voluntary contributions which should achieve the target of \$3 million U.S. dollars for the three year period 1968-70.

c. Foreign Economic Interests.

On this topic we will provide, first, a summary review of the Committee's fact-findings and considerations; then we will examine some recommendations by General Assembly resolutions (22) based on the Committee's reports (23); finally , we will try to point out the harmful consequences, according to the Committee's majority, of such an exploitation of colonial territories by the richer countries.

Fact-findings
by the Committee.

The Special Committee started its consideration of foreign economic interests in colonial territories in 1964. The area of main concern has been the Southern part of Africa, though all other territories have not been forgotten.

In 1964 the Special Committee considered the political implications of the mining industries and other international companies in South West Africa. (24)

In 1965 and 1966 the activities of foreign economic interests in territories under Portuguese administration and in Southern Rhodesia were studied and reports submitted

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- (22) A/Res./2189, December 12th, 1966;
A/Res./2288, December 11th, 1967;
A/Res./2425, December 31st, 1968.
 - (23) A/6300 and Aid. 1 (Part I and II), 1966;
A/6868, 1967; A/7320, 1968.
 - (24) G.A.Q.R., 19th Session, Annex A/5840

to the General Assembly. (25)

The situation of foreign economic interests, mainly in the southern part of Africa, was again the object of the Committee's meetings in 1967, between May 10 and August 29. (26)

At the same time, on February 20th. 1967, the Special Committee had decided to undertake a more comprehensive survey of foreign economic interests in non-self-governing territories. Pursuant to a request of the Special Committee, the Secretariat prepared several working papers on economic conditions in some of the territories. The survey was carried through the year 1968, at meetings held between September 16 and October 4. (27)

The conclusions of four years of research by the Committee sound rather discouraging:

"The study shows that the main aim of the international monopolies in the colonial Territories is to make the largest possible profits. This is made possible, first of all, by their rapacious exploitation of the natural resources in the colonial Territories, secondly by their ruthless exploitation of the cheap labour of the indigenous peoples in these Territories and finally, by the fact that laws of a discriminatory nature have been enacted by the colonial Powers to further the interests of the international monopolies." (28)

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- (25) G.A.O.R., 20th Session, A/6000/Rev. 1, ch. V, Section d; G.A.O.R., 21st Session, A/6300/Add. 7 and 3 (Part II).
 - (26) A/AC/109/b. 433, Sept. 29, 1967.
 - (27) The report is contained in document A/7320 Add. 1.
 - (28) A/6868/Add. 1, para. 82.

The majority of the Special Committee was, therefore, of the opinion that, mainly in the southern part of Africa, the alliance of the local white minority with foreign economic interests keep the indigenous population in a state of impoverishment, despite investments by foreign powers of large sums, totalling \$5 billion (29). Within the territories of southern Africa in particular, mineral deposits, for instance, are decreed to be the public domain of the state and concessions are granted only to European and other foreign interests. (30) This situation deprives the indigenous population "of all opportunities to take part in economic, commercial and other kinds of activities in their countries..." (31), thus impeding an harmonious development of the territories' economic life. (32)

Resolutions by the
General Assembly

The General Assembly's resolutions based on the reports of the Committee, stress the right of the peoples of colonial territories to the natural resources of their territories, as well as their right to dispose of these resources in their best interests. (33) Any derogation of such principles contravenes the obligations assumed by the colonial powers under Chapters XI and XII of the U.N. Charter.

(29) Ibidem, para. 84

(30) Ibidem, para. 92

(31) Ibidem, para. 85

(32) Ibidem, paras. 86, 87

(33) A/Res. 2288, para. 2.

Therefore, after condemning the exploitation of the colonial territories by foreign economic interests and after deploring the policies of those administering Powers which allow such an exploitation to occur, the General Assembly calls upon the colonial powers to stop the following practices:

- "(a) the exploitation of human and natural resources contrary to the interests of the indigenous inhabitants;
- (b) the obstruction of the access of the indigenous inhabitants to their natural resources;
- (c) the promotion and tolerance of injustice and discrimination in the remuneration of labour and in the establishment of working conditions." (34)

It urges the revision of all privileges and concesssions running against the interests of the indigenous population. (35) In particular, the colonial powers are requested "to stop immediately the practice of alienation of lands" (36) and to "take practical measures to ensure that the activities of their nationals ... do not run counter to the rights and interests of colonial peoples". (37)

Consequences of Foreign Economic Interests.

But, despite the Special Committee's and General Assembly's recommendations, the Countries, whose nationals

(34) Ibidem, para. 7

(35) Ibidem, para. 8

(36) Ibidem, para. 10

(37) A/Res./2425, para. 8.

are engaged in such activities, have done nothing to prevent such exploitation, the Special Committee complains. On the contrary, mainly in the large African Territories of Southern Rhodesia, South West Africa, Angola and Mozambique, foreign monopolies have been able to increase their profits (38). The situation in the Caribbean and Pacific Ocean's Territories seems not so much different from that of the Southern part of Africa (39).

Consequently, the Committee concludes, not only economically, but also politically and socially, the exploitation of the resources of non-self-governing territories by foreign economic interests has dreadful effects on the indigenous inhabitants:

"The indigenous populations of these Territories are deprived of political rights and freedoms, or are prevented from exercising them. The peoples of the colonial Territories live in poverty. There is racial discrimination in the payment of wages, which, for indigenous workers are from five to fifteen times less than those paid to white workers. There are no laws to protect workers, social security, pensions for aged workers or pensions for disabled workers. The overwhelming majority of the indigenous people are illiterate and practically deprived of medical care." (40)

This is allowed to happen, because foreign monopolies are still able to stifle labour movements and prevent social betterment, in their search for "higher profit" in all economic activities. (41)

(38) A/AC. 109/L506, Oct. 9, 1968, para. 10

(39) A/7320, para. 18 (4)

(40) A/7320, para. 89

(41) Ibidem, para. 18 (2).

d. Small Territories.

At first, the Special Committee was concerned with larger territories of Southern Africa and paid little attention to the problem of "mini-states".(42)

But, starting in 1966, the General Assembly has insistently requested the Special Committee

"to pay particular attention to the small territories and to recommend to the General Assembly the most appropriate ways, as well as the steps to be taken, to enable the population of the small territories to exercise fully their right to self-determination and independence." (43)

With regard to small territories, we will try, first, to state the problem; then, to give the example of a possible solution; finally, to provide some guidelines for future policies.

The Problem.

In resolution 2357 of December 19, 1967, the General Assembly reaffirms "the inalienable right" of the peoples of these territories to independence and confirms the responsibility of the United Nations in assisting those peoples in their efforts "freely to decide their future status".

(42) International Conciliation, September 1967, No. 564, p. 83.

(43) A/Res./2105, January 20, 1966;
see also
Res. 2189, para. 16; Res. 2326, para. 17; Res. 2465, para.14

But, in 1968, the Special Committee was more careful in dealing with the problem of small territories. While reassessing their right to self-determination and independence, the Committee

"at the same time, recognizes that the small size and the population of the Territories, and the nature of their economies, present peculiar problems which demand special attention." (44)

Accordingly, the General Assembly, "aware of the special ... conditions" of these territories, requests the administering powers "to allow U.N. visiting missions", and the Special Committee to study more carefully the problem. (45)

In answer to such a request the Committee decided to undertake, with the help of the Secretariat, a comprehensive study of the question of small territories. (46)

It went even further and proposed a solution, which could have far reaching effects on the role of the United Nations in world politics: association of the small territories with the United Nations.

"The Secretary General should initiate a study of the feasibility of arrangements under which small Territories, which may wish to be fully self-governing, might be enabled to have available to them the STATUS of a SOVEREIGN ENTITY ASSOCIATED WITH THE UNITED NATIONS." (47)

(44) A/AC.109/L528, 15 Nov. 1968, Annex III, P. 76

(45) Res. 2357 (XXII), January the 10th, 1968, paras. 5 and 7 respectively

(46) A/AC.109/L.528, p. 60

(47) Ibidem, p. 59.

Such a study has been carried on and it has been approved on August 1969. Whether it can be implemented remains to be seen.

At any rate, a more sophisticated approach to the problem of small Territories is developing. One realizes the complexity of the situation which exists in Smaller Territories. The administering powers according to some members of the Committee are not the only ones responsible for the slow progress towards self-determination and independence. Built-in factors should not be overlooked just for the sake of polemics:

"In 90 per cent of the cases, the slow progress of the various Territories towards Self-determination and independence was not necessarily due to ill-will on the part of the Administering Powers, but rather to BUILT-IN-FACTORS, such as political or ethnic divisions, economic difficulties and the small size or sparse population of certain Territories. The Committee must therefore devote its attention to that specific and, in some cases, very difficult problem. It must request the co-operation of the administering Powers, but must also be ready to give them advice and guidance." (48)

If the administering power withdraw, somebody must take its place (49). A United Nations presence would be too costly and dangerous, at present.

Consequently, a more classical solution of the type of the Cook Islands' association with New Zealand seems more viable, for the time being at least.

(48) A/6700 (Part 1), Dec. the 5th, 1967, p. 38

(49) International Conciliation Sept. 1967, No. 564, p. 84

A Solution: the
Cook Islands'
Association with
New Zealand.

The Cook Islands were the first case of "association" under United Nations' review. Composed of fifteen islets, scattered over 850,000 sq. miles of ocean, at an average distance of 1,638 miles, with a population of 20,000 people, the Cook Islands have a land mass of only 93 sq. miles with a population density of twenty persons per mile.

Once it had decided to change the political status of the Cook Islands, New Zealand invited the United Nations to supervise elections. New Zealand was the first administering power to extend an invitation to the United Nations to send a visiting mission to non-self-governing territories. The invitation was extended on February the 19th, 1965. The United Nations sent, as an envoy, Mr. Oman A.H. Adeel, a Sudanese jurist, to supervise the elections, which were held on April the 20th, 1965.

Though there was no direct referendum on the issue of independence or association, the party which stood for association, the "Cook Islands Party", won the election, totalling fourteen seats out of twenty-two.

The newly elected Prime Minister, appearing before the Committee of Twenty-four, on the 23rd of August, 1965, defended association of the Cook Islands with New Zealand and, to dispell suspicions, called the attention of the

Committee's members to the provisions for UNILATERAL REVISION of the new status by the people of the islands, if and when they so wished, by a two-third majority vote.

Under the new constitution, all internal matters were referred to the local Parliament, while foreign policy was left to New Zealand.

The new status of the Cook Islands was finally recognized by G.A.Res. 2064, on December the 16th, 1965

But, in paragraph six of the same resolution, the General Assembly still claims responsibilities

"to assist the people of the Cook Islands in the eventual achievement of full INDEPENDENCE if they so wish, at a future date." (50)

It is also worth mentioning that, while the Committee accepted the association of the Cook Islands with New Zealand, the same Committee refused to recognize the association of the West Indies with Britain. This means that the United Nations is ready to accept self-determination short of independence only under certain conditions.

As a matter of fact , in view of the radical decolonizer, such a solution requires a greater measure of direct international control. Decolonization should precede self-determination. (51)

(50) International Conciliation, Sept. 1966, No. 559, p. 89

(51) International Conciliation, Nov. 1966, No. 560, p. 46

Guidelines for Future Policies

In the light of the Cook Islands' and West Indies' experience, and gathering impressions from the above-mentioned General Assembly resolutions (52) as well as from two articles in International Conciliation (53) one may attempt to extract underlying principles, which could guide future policies concerning smaller territories.

The first principle insists on absolute freedom of self-determination. It supposes that the people be aware of the issues at stake and meaningful political alternatives be available. It also asks for respect of democratic procedures and implementation of measures of genuine self-government in internal matters. In case of association with the administering power, an option must be written in the constitution, granting the people of the territory the power to reverse their decision and to choose full independence at any time.

The second principle stresses the right of all small territories to full independence. This seems to be the only acceptable goal to the Special Committee's anti-colonial majority. Any way, serious consideration must be given to "objective" circumstances in these territories. And, since these circumstances throw some doubt on the viability of full

(52) See foot-note No. 39

(53) September 1966, No. 559, pp. 84-91
September 1968, No. 569, pp. 82-85.

independence for smaller territories, association of such "mini-states" with the United Nations, after independence from the administering powers, has been suggested.

Whatever the solution, the Secretary-General of the United Nations says, "it appears desirable that a distinction be made between the right to independence and the question of full membership in the United Nations." (54) In other words, from now on, probably, independence will not give the right, ipso facto, to U.N. membership. For "mini-states", a full membership in the Specialized Agencies and an observer status at the United Nations General Assembly seems a better compromise solution.

As a matter of fact, full membership in the General Assembly "may, on the one hand, impose obligations which are too onerous for "micro-states" and, on the other hand, may lead to a weakening of the United Nations itself." (55)

The third principle refers to the necessity of an international control at all stages of political development in these territories. Such a control must be greater in smaller territories than in the larger one, due to their peculiar circumstances and weaknesses.

(54) G.A.O.R., 22 Session, 1967, Suppl. No. 1A, paras. 164-165; in International Conciliation, Sept. 1968, No. 569 p. 83.

(55) Ibidem

Conclusion on
the Problem of
Small Territories.

Since, as to 1966, there were still some fifty-five non-self-governing territories with a population less than 300,000 persons, and at least another ten territories with a population ranging between 300,000 and 1,000,000, the problem of small territories will continue to be on the agenda of the Committee for some time yet.

And we have the feeling that it can also open some of the most interesting avenues for the implementation of the idea of international responsibility, if the suggestion of an association of these "micro-states" with the United Nations is given serious consideration.

3. Contributions of the Special Committee's Claims and Activities to the Idea of International Responsibility.

It is only necessary to recall briefly what has been said on the Committee of Twenty-four to realize how far the internationalization of the colonial problem has gone under the work of the Committee. Of course, claims are not practice. But, since we are concerned with the development of ideas, claims may have the same importance than practice. At any rate, practice will get more consideration in the presentation of the case-studies.

That the world organization intends to withdraw colonies from domestic jurisdiction and to have a final say in the disposition of non-self-governing territories is apparent in the composition of the Committee itself. The functional criterion of representation is somehow forgotten in behalf of the geographical criterion. The principle of equal representation is abolished. Decisions are to be taken by a clearly anti-colonial majority.

The internationalization of the colonial problem is still more evident from the tasks assigned to the Committee, namely from the right of first-hand information and specific recommendations. The rights to hear petitions, to send visiting missions and to hold meetings in the territories concerned, as well as the right to formulate concrete recommendations on individual territories and on particular

issues, are indicative of the attempt by the United Nations to by-pass the domestic jurisdiction principle in the colonial field. Such claims have gone so far as to interfere with the security's arrangements and the economic life of the territories, as the request to the colonial powers to dismantle their military bases in the colonies and the condemnation of foreign economic interests show.

But, it seems to me, no other issue has provided the committee with the opportunity to be more daring than the question of small territories. Full independence has been proclaimed as the only acceptable ultimate goal. Democratic procedures under international control should be applied at all stages of constitutional changes. Even after association with the mother-country, when it does take place, the United Nations still claim responsibility on the future of a small territory: a clause, therefore, to secure the right of the people to secede at any time and achieve full independence if they so wish, should be included in the constitution.

Finally, association of small territories with the United Nations was proposed and a study on its feasibility carried on. The proposal has been approved in August of this year. Whether it can be implemented, it remains to be seen. But history shows that, sometimes at least, the realities of today are the utopias of yesterday.

To conclude on the Committee of Twenty-four and to avoid any undue optimism we need just to remember that all its claims are not backed by any legislative authority nor can they be enforced by any executive power. We are in the realm of principles. Or better, we are only in the realm of ideals, because all the committee's claims cannot even be considered as juridical principles. All what they can do, it is to exert "moral pressure".

At any rate, in a society that pretends to be human and refuses to be governed by the laws of the jungle, this moral pressure can be assumed to be a step in the right direction.

CHAPTER THREE

CASE STUDIES: ANGOLA AND EQUATORIAL GUINEA

Born out of the pressure of the anticolonial powers, the Special Committee of Twenty-four soon set itself to the task (1) of bringing to independence (2) the peoples still under colonial rule (3), thus trying to fulfil the claim that its establishment represented a "decisive step in the effort of the United Nations to put an end to the colonial regime." (4)

Statement of
Purpose of
Chapter Three.

To see to what extent practice matched theory, in this third chapter we will analyze in more detail the effort of the Special Committee in asserting and implementing the concept of international responsibility in two of the colonial territories, Angola and Equatorial Guinea. Though established claims will be recalled and new ones pointed out, the emphasis in this chapter will be on practice, that is, on implementation of claims.

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- (1) International Conciliation, Sept. 1961, No. 534, p. 95;
Sept. 1962, No. 539, p. 61.
 - (2) From 1945 to 1960, forty new countries with a total of eight hundred million persons had gained independence.
 - (3) As to January 1, 1962, they were represented by eighty-eight territories with a total of seventy million persons.
 - (4) U.N. Monthly Chronicle, June 1964, Vol. 1, No. 2, p. 87.

For that purpose, in dealing with Angola, we will provide three examples of the effort of the United Nations to intervene in behalf of the Angolan people: the appeal to the Bank for Reconstruction and Development to withdraw assistance from Portugal, pending implementation by Portugal of Resolution 15 14; the training programs for refugees from Portuguese Territories; the study and recommendations concerning foreign economic activities impeding independence. With regard to Equatorial Guinea, three other examples of United Nations intervention will be examined: the visiting mission of 1966, the survey of the constitutional conference of 1967-68, and the supervision of election leading to independence, in 1968.

From the above-mentioned examples one should be able to evaluate to what extent the rights of information, recommendations and co-ordination have been implemented; how they have been interpreted, and what effects, if any, they have yielded.

Significance of Case Studies.

Of the two case studies chosen, Angola may be considered the symbol of defiance of United Nations intervention in the colonial field; Equatorial Guinea of acceptance of international control. Both are illustrative of the problems of the two categories of territories that kept the Committee busy during the sixties, namely, the

future of the hard core territories of Southern Africa and of the smaller territories scattered around the globe. The significance of the Angolan case is to point out the harshness of the conflict between domestic jurisdiction and international responsibility, the futility of too-demanding claims, as well as the possible indirect impact of United Nations pressure on administrative and social reforms in the territory.

Equatorial Guinea shows the functioning of the concept of international responsibility and the modest contributions it can make to the solving of the problem of decolonization in normal conditions of co-operation among the world organization and the administering power.

Both cases will convince us of the limited role of the United Nations in the decolonization process.

Division of
the Chapter.

For reasons of clarity, we will divide the chapter in two sections: the first on Angola, the second on Equatorial Guinea. Each section will be treated in four points:

1. Situation in the territory.
2. Position of the administering power.
3. United Nations intervention: Analysis of claims and facts.
4. Results: Support for and evaluation of United Nations intervention.

To conclude the chapter, some explanations for so divergent results in the two cases will be attempted, both at the domestic and international level.

Section One.

ANGOLA

1. Situation in Angola (For more information see Annex III)

Though the Portuguese set foot in Angola as early as 1482, actual administrative control over all the territory became a reality only after world war one (5).

For centuries, Angola was the reservoir of slaves for the Brazilian plantations.(6) After slavery was abolished, the interest of the Portuguese government in the territory increased. At present, development is speeding up considerably.

Politically, Angola, as all other Portuguese territories, has been an over-seas province since 1951. A status of automony was granted in 1963. Though the rebellion of 1961, still underway, may have shaken some of the beliefs underlying Portuguese colonial policy, Portugal still seems determined to maintain itself in Angola indefinitely. On the other hand, for the time being at least, the Angolan national liberation movement is too divided to have the ability for imposing on Portugal a solution of strength.

(5) De Andrade, Mario, *Angolese Nationalism, Presence Africane*, Vol. 12-16, No. 40-44, 1962, p. 9.

(6) Anderson, Perry, *Portugal and the end of Ultra-colonialism*, *New Left Review*, May-June, 1962, No. 15, p. 96.

Social and educational conditions are steadily improving. But, even if Portugal practices a policy of racial integration, it goes without saying that the lot of the African population is far worse than that of the white people:

"By any standard one chooses - income, education, housing, health - the bulk of the Angolans are much less favoured than the Portuguese." (7)

As a consequence, due perhaps to colonial misrule, "immediate and unconditional independence could prove calamitous for Angola", as the Congo tragedy warns us, though the Portuguese have trained more professional personnel than the Belgians ever did and "educational crash programs on a gigantic scale are called for in Angola." (8)

(7) Clairmonte, F. Frederick, Angola: Unfinished dual, The Yale Review, Vol. LIII, October 1963, No. 1, p. 9.

(8) Ibidem, p. 10.

2. Portugal's Position

Principles of
Portuguese
Colonial Policy.

As Mr. Marcello Caetano explains it, the Portuguese base their colonial administration on four fundamental principles: political unity, spiritual assimilation, administrative differentiation, economic solidarity.(9)

In other words, Portugal is ready to give more autonomy to its overseas provinces, but it is not ready to accept the principle of self-determination for the colonial peoples nor the concept of international responsibility to be exercised by the United Nations in the colonial field. (10)

Consequently, according to the Portuguese authorities, the desire of the General Assembly to discuss the Portuguese administration of the overseas provinces represented a violation of the basic principles of international law, that is the equality of states and non-interference in domestic jurisdiction. It violated the Portuguese Constitution and discriminated against the Portuguese state. In doing so, the General Assembly was also disregarding the Charter of the United Nations, which contemplated an international system for economic and social co-operation and for Trust Territories, but did not contemplate any international

(9) Caetano Marcello, op. cit., p. 31

(10) Nogueira Franco, op. cit., pp. 65-66

system for non-self-governing territories. In this field the role of the United Nations was meant to be "passive". All responsibility and initiative rested with member states. (11) If the Charter were to be adapted to new realities, the established amendment procedures should be followed.

The Portuguese, therefore, have the impression that a dialogue with the United Nations is impossible, since they do not speak the same language. The principles of self-determination and political independence, based on geographical separateness and racial distinctiveness, principles so cherished by the United Nations, run counter to the most basic positions of the Portuguese Government, which stands for:

- a. "the legitimacy of the titles of sovereignty;
- b. the concept of colonization as a civilizing process;
- c. the unitary structure of Portugal;
- d. a multiracial and multicultural society." (12)

Justification of
the refusal to
comply with U.N.
resolutions.

In defying the community of Nations, Portugal insists both on juridical and political motives. From a juridical point of view Portugal believes that the United

(11) Ibidem, p. 82

(12) Ibidem, pp. 120-121

Nations interference in colonial problems runs against a five centuries old tradition of Portuguese African possessions and unitary system of government; it runs against the Portuguese Constitution and the principle of internal jurisdiction; it misinterprets Chapter XI of the United Nations' Charter itself. Politically, the Portuguese refusal to comply with United Nations resolutions is defended on three grounds: to save the Portuguese nation's unity; to safeguard the interests of the African people from chaotic situations like the one aroused in the Congo after independence; to uphold European values. Should the United Nations' thesis succeed, the consequences, Portugal contends, will be very harmful indeed: "political anarchy, tribal warfare, and economic collapse ... a triumph of emotionalism over reason, of black racialism over non-racialism, of force over legality, of atavism over progress." (13)

Proposed solution:
a policy of racial
integration.

Faced, therefore, with the rebellion in the overseas provinces, the Portuguese believe they have no choice but to resist until they conquer. They are confident that time is on their side; time will eventually enlighten those who refuse to understand their policy. (14)

(13) Martelli, George, op. cit., pp. 464-465

(14) Da Silva Cunha, op. cit., p. 17.

They are confident, they say, because the only viable solution to the problems of many modern states is a multi-racial society, where different races exist peacefully and positions are held according to merit.

"The multiracialism, which today begins to be mentioned and admitted by those who had practically never accepted it before, may be said to be a Portuguese creation." (15)

The Portuguese argue that more and more their practice of mingling with people of other races is being recognized and that in fact Portugal is the only colonial power able to stand the wave of decolonization, that is, of racialism. This is due to the admirable solidarity, which holds the people of the Portuguese state together and which is the fruit of a policy of brotherhood among people of different races. (16)

Summary of the position of Portugal

Briefly, Portugal's position in its dispute with the United Nations on the decolonization issue can be summarized as follows. With regard to the colonial problem itself, Portugal considers that colonialism remains a civilizing mission. Vis à vis the United Nations' role in non-self-governing territories, Portugal is ready to co-operate and

(15) Salazar, Oliveria, Declaration on overseas policy, Broadcast of 12 August 1963, secretariate Nacional de Informacao. Lisbon, p. 9.

(16) Da Silva Cunha, op. cit., p. 19

does supply information on economic and social matters, but rejects any political role or responsibility for the United Nations. As far as her overseas provinces are concerned, Portugal seems determined to hold them indefinitely; military strength and social, economic and administrative reforms will, they hope, do the job. To neighbouring African countries and to all African states Portugal formally offers co-operation and asks propriety of treatment.

The Government in Lisbon extended an invitation both to the United Nations and the African Countries to send qualified representatives to visit Portugal's overseas provinces, but, the Portuguese argue, the United Nations is not interested in impartial information and the African states are afraid to verify the facts. (17)

Conclusion on the
position of
Portugal.

Portugal stands boldly for the application in non-self-governing territories of the principle of domestic jurisdiction.

One has the impression that the policy of Portugal has been unmoved by the United Nations' action. The refusal to accept the principles of self-determination and independence for the overseas provinces has been persistent. But, after all, the Portuguese say, it is not the territory

(17) Portuguese foreign policy, Ministry of foreign affairs, 1965, p. 57

which must be free, it is the people. Extensive programs of administrative, economic and social reforms, according to the Portuguese, will bring this freedom to the Africans. That reforms are speeded up in Angola, due to the desire of Portugal to counteract with facts the U.N. offensive, it can easily be assumed.

To evaluate the influence, if any, of the United Nations on Portuguese colonial policy, and, consequently, the extent in practice of the acceptance of international responsibility, let us first give a brief survey of some of the most significant U.N. intervention in behalf of Angola. Let us examine claims and facts of United Nations intervention.

3. United Nations' reaction and intervention:
analysis of claims and facts.

As it has already been said, our intention here is to see how the Committee tried to exercise, with regard to a particular territory, its claims of information, recommendations and co-ordination of United Nations activities in the colonial field. But, we will go a step further. Since, in this chapter, emphasis is on implementation of claims, after a brief summary of them, we will concentrate on three examples, which show the effort of the Committee to put words into deeds: we will recall the appeal to the Bank, the training program for refugees, the survey of foreign economic activities in Angola. The relevance of the three examples to the main focus of the thesis, namely, the contributions of the Committee's work to the development of the concept of international responsibility, is clear. All three examples are illustrative of the right of information and recommendations. The appeal to the Bank and the assistance program for refugees bring more light on the attempt by the Committee to solve the problem of co-ordination of United Nations intervention in behalf of non-self-governing territories.

The question of foreign economic activities seems to be the most daring of the three examples and the richest in implications of far reaching importance, since it

reveals the intention of the Committee to survey the economic life of a territory, in general, and to regulate the flow or use of foreign capital, in particular. Further, it points to the new leftist philosophy, underlying relations among developing and developed countries, that is: mistrust of private investments and upholding of the exclusive right of the indigenous populations to the resources of their territories, with the implication of the right to expropriate or nationalize foreign ownership and capital, once the territory becomes independent.

Let us now proceed with order and analyze both claims and facts of United Nations intervention in behalf of Angola, before attempting an evaluation of results.

a. Claims: general recommendations and requests.

The Portuguese territories have been made the object of U.N. interest and concern since 1955. But from 1955 to 1959 the requests of the world organization were mild. The reasons are to be found in the composition and performance of the United Nations itself, still under western control. But, in 1960 the pattern of the General Assembly had changed. The anti-colonialists had a clear majority and they intended to use the strength of their number in a parliamentary assembly. Under the authority of General Assembly resolutions (18) and due to the vigilance of the

(18) A/Res./1514, 1541 and 1542.

Special Committee, Portuguese policies in the overseas provinces were constantly under attack.

Establishment of the
list of Portuguese
Territories.

In 1960, with a gesture without precedent in the history of the organization, the General Assembly drew a list of the Portuguese Territories, on which information should be transmitted and the goal of self-determination and independence settled for, 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." (19)

To implement resolutions 1514 and 1542 the General Assembly established in 1961, a special sub-committee on Angola. (2) This sub-committee was granted authority to (21) receive petitions and hear petitioners, a power the Committee on Information had not. The responsibilities of the sub-committee on Angola, in 1962, were taken over by the enlarged Committee of Twenty-four.

But, it was not until 1965 that the most daring and, one is tempted to say, the most unrealistic resolutions were passed. (22)

(19) Res. 1542, (XV)

(20) Res. 1699 (XVI) para. 3

(21) Ibidem, para. 5.

(22) A/Res./2107 (XX), 21 Dec. 1965; A/Res./2184 (XXI), 14 Dec. 1966; A/Res./2270 (XXII), 21 Nov. 1967; A/Res./2395 (XXIII) 4 Dec. 1968.

In these resolutions the General Assembly endorsed almost all the recommendations of the Special Committee on decolonization. (23)

Requests to
Member States.

The General Assembly asked all member states to take measures against Portugal at the political level, breaking diplomatic and consular relations; at the economic level, refusing landing and transit facilities to Portuguese aircrafts and ships, and boycotting all trade with Portugal; at the military level, stopping the sale or shipment of arms to the Portuguese government.

Requests to
Specialized
Agencies.

All the Specialized Agencies, in particular the International Bank for Reconstruction and Development and the International Monetary Fund, were invited to refrain from giving Portugal any financial, economic or technical assistance, pending implementation by the government of Portugal of General Assembly Res. 1514.

Requests to
Portugal

Finally, the government of Portugal was urged to recognize the right of the population of her territories

(23) A/AC. 109/187, 29 June 1966;
A/AC. 109/292, 26 June 1968;
A/AC. 109/L. 529, 26 November 1968.

to self-determination and independence, to desist from armed action and to withdraw all military forces, to proclaim an unconditional political amnesty. (24)

Requests for
Security Council's
Intervention.

To give more weight to their policy, both the General Assembly and the Special Committee repeatedly requested the intervention of the Security Council on the ground that the war in Angola was threatening international peace. In 1963 the General Assembly drew the attention of the Security Council to the alarming situation in Portuguese territories.

In 1965, the Committee, with greater insistence than ever before, requested the Security Council to consider the deterioration of conditions in the Portuguese territories (25) and to envisage action against Portugal (26) in order to ensure the implementation of the principle of self-determination and increase the respect of the indigenous populations for the United Nations. (27)

In 1966, the Special Committee went a step further: it asked the Security Council to make compulsory for all member-states the provisions against Portugal contained in resolution 2107 (28) and in Chapter VII of the United Nations Charter. (29)

(24) A/Res.2270, para. 7.

(25) A/AC. 109/124, para. 7.

(26) Ibidem, para. 8.

(27) A/AC. 109/128/Rev. 1, 18 June 1965.

(28) A/AC. 109/187, Alger le 22 Juin 1966, in S/7394, 5 Juillet 1966.

(29) A/AC.109/188.par.3,22Juin 1966,in S/7395. 5 Juillet 1966

In 1968, the Special Committee once again drew the attention of the Security Council to the explosive situation in the Portuguese territories (30) and recommended the adoption of mandatory measures (31) to implement the provisions of its own resolutions (32) as well as those of the General Assembly. (33)

The Security Council has been rather sensitive to the problem of Portuguese territories and ready to respond with recommendations to the Committee's appeals, but unwilling to apply enforcement measures. The first intervention of the Security Council on Portuguese territories goes back to 1961. (34) On July 31, 1963, the Security Council issued a resolution in which its policy toward the Portuguese government, with regard to the overseas provinces, is clearly and definitely stated. After affirming that Portugal's policies in the African provinces are contrary to the principles of the Charter, the Security Council laid down the norms for a peaceful solution of the problem of the Portuguese overseas territories. On the basis that the situation in the territories under Portuguese administration constitutes a serious threat to peace and security in Africa, the Security Council, echoing the Committee's recommendations

(30) A/AC. 109/292, par. 11.

(31) Ibidem, par. 12.

(32) Security Council resolution 218 (1965) of 23 Nov. 1965

(33) G.A. resolutions 2107 (XX) of 21 Dec. 1965; 2184 (XXI) of 12 Dec. 1966; 2270 (XXII) of 17 Nov. 1967.

(34) S.C. Res. 163, 9 June 1961.

and the General Assembly's resolutions, stated in five points the conditions for a peaceful solution of the Angolan conflict.

It urgently called upon Portugal to implement the following:

- "(a) the immediate recognition of the right of the peoples of the territories under its administration to self-determination and independence;
- (b) the immediate cessation of all acts of repression and the withdrawal of all military and other forces at present employed for that purpose;
- (c) the promulgation of an unconditional political amnesty and the establishment of conditions that will allow the free functioning of political parties;
- (d) Negotiations, on the basis of the recognition of the right of self-determination, with the authorized representatives of the political parties within and outside the territories with a view to the transfer of power to political institutions freely elected and representative of the peoples, in accordance with General Assembly resolution 1514 (XV);
- (e) The granting of independence immediately thereafter to all the territories under its administration in accordance with the aspirations of the peoples." (35)

The same principles, as well as the validity of G.A. resolutions 1514 and 1542, were again reaffirmed in a new document by the Security Council on December the 11th, 1963. (36) Another resolution was passed in 1965 (37) and the same requests were renewed.

(35) Security Council resolution 180, 31 July 1963.

(36) S/5481, 11 December 1963.

(37) Security Council resolution 218 (1965) 23 November 1965.

As the insistence by the Committee and the repetition of recommendations through the years by the Security Council suggest, the United Nations does not seem to have been too successful in coping with the Angolan case.

To clarify this impression, let us examine three attempts by the United Nations to implement its policy toward the territory.

b. The Facts: Specific Issues.

Appeal to the International Bank for Reconstruction and Development.

Brief historical
outline of the
controversy.

On 3 July 1964, at a meeting of the Special Committee, the representative of Syria asked the Secretary General to provide information on loans made by the Bank to Portugal (38). On 28 July 1964 such information was submitted by the Bank.

On 10 June 1965, in a resolution on territories under Portuguese administration the Special Committee appealed to all Specialized Agencies and to the Bank in particular "to refrain from granting Portugal any financial, economic and technical assistance so long as the Portuguese Government fails to renounce its colonial policy, which constitutes a flagrant violation of the Charter of the United Nations." (39)

The same request, in almost the same wording, was repeatedly addressed to the Bank by the General Assembly (40). On 31 January 1966 the text of General Assembly resolutions 2105 and 2107, specifically on the issue, was forwarded to

(38) A/6825, 15 September 1967, Annex 1, p.4.

(39) A/AC. 109/124 and Corr.1.

(40) G.A. Res. A/2105 (XX), 20 December 1965, par. 11;
G.A. Res. A/2107 (XX), 21 December 1965, par. 9;
G.A. Res. A/2184 (XXI), 12 December 1966, par. 9;
G.A. Res. A/2189 (XXI), 13 December 1966, par. 6;
G.A. Res. A/2202 (XXI), 16 December 1966, par. 6.

the Bank by the United Nations' Secretariat.

The Bank instead, on June 14, 1966, signed two agreements with Portuguese companies, soon guaranteed by the Government of Portugal. (41) As a result, on the 16 of September 1966, the Special Committee expressed

"its deep disappointment at the granting of new loans and the extension of credits to the governments of South Africa and Portugal." (42)

Appearing before a meeting of the Fourth Committee, on November 28, 1966, the General Counsel of the Bank justified its refusal to comply with General Assembly resolutions, as follows: first, the counsel cannot consider the General Assembly resolutions 2105 and 2107 as "formal recommendations", because no "reasonable prior consultation" preceded them; secondly, also if the above-mentioned resolutions were to be considered as "formal recommendations", the Bank's Counsel was still precluded from taking them into account since paragraph 10 of Article IV of the Bank's own Articles of Agreement forbids political considerations in the granting of loans.

Secretariat's Position:

As to the duty of "prior consultation", the United Nations admitted its existence (43) but, at the same time, they believed this duty to have been fulfilled by the

(41) The first agreement provided for a \$ U.S. 20 million loan to the Hydro-Electrica Do Douro S.A.R.L.; the second, loaned \$ U.S. 10 million to the Empresa Termoelectrica Portuguesa S.A.R.L. (Loan No. 452 P.O. and loan No. 453 P.O., respectively.

(42) A/AC. 109/206, par. 2.

(43) Article 4 of the Relationship Agreement.

Secretariat through the transmission of resolutions 2105 and 2107. In any case, even if one refuses to accept the transmission of documents as constituting prior consultation, participation by a Bank's representative at the 1645th meeting of the fourth committee certainly does constitute "reasonable prior consultation". Subsequent resolutions (4), therefore, are binding on the Bank. (45)

With regard to the prohibition of political activities by Article IV, Section 10, of the Articles of Agreement which states that Bank's officers "shall not interfere in the political affairs of any member", according to the Secretariat's interpretation, the word "political" in this context refers to "internal" matters only. Since General Assembly's resolutions are concerned with "international" peace and security, nothing in the above quoted article, the Secretariat argues "precludes a consideration by the Bank of the international conduct of a member country." (4?) Further, in Article VI of the Relationship Agreement one reads:

"The Bank takes note of the obligations assumed ... by ... its members ... to carry out the decisions of the Security Council under Article 41 and 42 of the United Nations Charter." (47)

(44) 2184, 2202

(45) A/6825, Annex 1, p. 14.

(46) A/6825, Annex 1, p. 17.

(47) A/6825, Annex 1, p. 19.

In the light of this article, it seems hard to accept that the Bank can refuse to co-operate in the field of international peace and security and still retain the respect of an international organization. Finally, compliance by the Bank, in 1951, with the "Uniting for Peace" resolution sets a good precedent for interpreting the word "political" as limited to "internal" policy of States.

The Bank's Position.

The answer of the Bank to the Secretariat's arguments is based on legal principles, namely: the purposes of the Bank, the right of interpretation, the wording as well as the history of the Agreements. Since the purposes of the Bank are all of an economic and financial nature, only economic considerations shall be weighed impartially in order to achieve the purposes stated in Article 1. (48)

The right of interpretation of the Bank's own articles lies with the Executive Directors, who decided not to consider the General Assembly's resolutions 2105 and 2107 as "formal" nor to share the view that the meaning of the word "political" should be limited to "internal" affairs.

The wording of the section are also supporting the Bank's stand. As a matter of fact, Article VI of the Relationship Agreement declares that the "bank" "takes note" of the decisions of the Security Council, but neither

(48) Bank's Article of Agreement, Article IV, Section 10.

"recognizes" nor "assumes" obligations on itself to carry on such decisions. This is clear from the history of the negotiations. The Bank's representative expressed concern over the word "recognizes", "on the ground that the word "recognizes" has a "technical connotation in law of the assumption of obligation." The representative of the Negotiating Committee "assured the representative of the Bank that no such connotation existed in this case, and accepted the words "takes note." (49)

The report of the General Assembly's Collective Measures Committee also confirms the fact that no duty is imposed on the Bank or the Fund by Article VI of the Relationship Agreements. Recalling the phrase "due regard", the report states:

"Both the Bank and Fund have included in their special agreements with the United Nations a provision that their operations would be carried on with "due regard" to decisions of the Security Council, retaining the right of final decision for themselves, even though their member nations would be bound by such decisions." (50)

To make a long story short: the Bank may consider both General Assembly's and Security Council's resolutions, but it is not obliged to comply with them.

(49) A/6825, Annex 2, p. 15.

(50) General Assembly Official Records, Sixth Session, Supplement No. 13, A/1891, p. 19.

Training Programs for Refugees.

Assistance programs for refugees is one way of keeping the world organization in direct contact with a section at least of the population of dependent areas, when United Nations access to such areas is forbidden by the administering powers. (51)

In its concern for refugees from non-self-governing (52) territories in general and from Portuguese (53) territories in particular, the United Nations repeatedly draws the attention of member states and Specialized Agencies to the urgency and complexity of the problem. Most of all, member states are urged to grant scholarships and to facilitate travel conditions for students in exile. The Secretariat should provide information on scholarships granted for this purpose. More scholarships for secondary education and technical training should be made available, since very few students among refugees from Angola or colonial Territories in general are qualified to take advantage of scholarships at the University level.

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- (51) After the break of the Angolan revolution, the problem of refugees from Portuguese Territories reached acute proportion. They were estimated at 300,000 in 1965 and at 400,000 in 1967, mostly from the Congo. (International Conciliation, Sept. 1965 and Sept. 1967, respectively)
- (52) A/AC. 109/187, 29 June 1966, par. 9.
 A/AC. 109/292, 26 June 1968, par. 15.
 A/Res. 2184 (XXI), 14 Dec. 1966, par. 11.
 A/Res. 2270 (XXII), 17 Nov. 1967, par. 14.
 A/Res. 2395 (XXIII), 4 Dec. 1968, par. 13.
 S/7394, 5 July 1966, par. 9.
 S/7395, 5 July 1966, par. 6.
- (53) A/Res./1808 (XVI), 14 Dec. 1962;
 A/Res./1973 (XVII), 2 January 1964;
 A/Res./2108 (XX), 21 Dec. 1965;
 A/Res./2237 (XXI), 9 January 1967.

As to September 1966, thirty-one member states of the United Nations had offered scholarships for refugees from Portuguese territories (54).

In 1967 a United Nations visiting mission (55) was sent to the Angolan refugee camp in Kinshasa, Congo, to get first hand information on the situation and to formulate recommendations on the best way to help these unfortunate people.

(54) The United Nations program amounted to \$10,000 in 1964; increased to \$35,000 in 1965; was expected to reach \$45,000 in 1966. (International Conciliation, Sept. 1965, No. 554, pp. 68-71).

(55) International Conciliation, Sept. 1967, No. 564.

Foreign Economic Interests in Angola (56)

Up to 1965 foreign economic interests in Angola were rather limited and foreign investments very scant, amounting only to 5%. The Third Development Plan, on the contrary, asks for an increase of foreign investments in development projects up to 40%. This may be explained, partly at least, by the new regulations, which came into being in 1965 (57) and which made it possible to undertake economic activities (58) in Portuguese territories also for "enterprises the whole or the majority of whose capital is owned by individuals or bodies corporate resident or domiciled abroad." (59a) These same individuals or foreign bodies may also transfer their profits abroad. After a brief survey of foreign economic activities in Angola, we will expose the United Nations and our own point of view on the subject.

(57) Decree 46, 312, 28 April 1965.

(58) Decree 46, 666, November 1965.

(59a) A/6868/Add.1, Appendix 3, p. 4.

Fact findings by the Committee:

Extent of Foreign Economic Interests.

Agriculture. (59b)

According to United Nations reports, the main Angolan crops are all, except for maize, controlled by European capital. Livestock, instead, is mostly owned by the African population. Fisheries, again, is heavily under foreign control. (60)

Mining

Though the mining sector has grown more and more important in recent years, it represents only 20% of exports. It is still concentrated in diamond and petroleum. Foreign investments in this field seems to be predominant.

The Angola Diamond Company, with mainly South African and Belgian interests, holds exclusive rights until 1971 over an area of 1,025,200 square Km, and at present, it "remains the sole (61) diamond producer in the Territory and the largest (62) non-Portuguese enterprise." (63)

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(59b) Sixty percent of the Angolan exports comes from agricultural goods. The main crops are coffee, which alone makes for 47% of all exports, sisal, cotton and sugar. The African growers are usually oriented toward the home market, the European growers look at foreign markets and thus earn higher profits. In 1965 the African growers in the cotton field were 36,000; for coffee they were 60,000 and shared $\frac{1}{4}$ of the coffee exports profits. A coffee Diversification and Development Fund was established in 1967

(60) A/6868/Add. 1, Appendix 3, p. 31.

(61) New requests to share in the exploitation of the diamond mining have been advanced by other foreign firms, such as Isreal Finn, David de Villiers Graaf, Wynand Johannes du Toit. Israel Finn asks to explore the continental shelf, David de Villiers Graaf 40,500 square Km. and Wynand Johannes du Toit 26,350 square Km of the interland.

(62) About 5% of the Angolan budget is drawn from income tax paid by the Angolan Diamond Company.

(63) A/6868/Add. 1, Appendix 3, p. 12.

In the petroleum extraction, of the four main companies only one, Angol, is reported to be Portuguese owned. Petrangol, which is a Belgian controlled firm, was the only petroleum producing company in Angola up to 1965. (64) The Cabinda Gulf Company is a branch of the U.S. Gulf Oil Company. The Companhia do Lobito, since 1965, is also in contact with foreign companies such as the U.S. Allis Chalmers Manufacturing Corporation.

Foreign interests are paramount in other mineral extraction too. Phosphate deposits, for instance, are exploited mostly by the U.S. International Mineral and Chemical Corporation.

Industry. Industry has been and is still playing a very limited role in the economy of Angola (65). Its characteristics are the smallness (66) of the factories, the considerable transfer (67) of profits out of the territory, and the concentration of establishments in very few regions. (68)

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- (64) Petrangol's assets and liabilities at the end of 1965 amounted to 1,828.4 million escudos.
 - (65) More attention has been payed in recent years to the development and diversification of industries. Between 1962 and 1964, with an average investment of 150 million escudos annually, the number of small establishments passed from 3,050 to 17,316.
 - (66) In 1964 there were 13,788 unskilled wage earners for 17,316 establishments.
 - (67) For the years 1960-62 it reached 2,000 million escudos and alone "exceeded the new capital invested in industries in Angola in that period." (A/6868/Add. 1, Appendix 3, p.35)
 - (68) To favour decentralization of industries, in 1967 the Governor General was authorized to grant benefits up to a 50% reduction in tax rates, to industries locating in the border regions.

Foreign interests in industry are present in all sectors, ranging from tire factories to bicycle and motorcycle, to food processing. A list (69) of foreign firms with interests in Angola was provided in 1967 by Holden Roberto.

(69) A/6868/Add. 1, Appendix 8, pp. 18-19.

United Nations and petitioners' point of view.

An almost totally negative approach to the problem of foreign economic interests and investment in colonial territories in general and in the Southern part of Africa in particular is found in the reports of Sub-Committee 1 (70) of the Special Committee of 24 (71) in the General Assembly's resolutions (72) and in statements before United Nations bodies by petitioners (73) from non-self-governing territories.

Petitioners from Angola (74) acknowledged an expansion of economic activities in the territory, but they regret the fact that such an improvement is not benefiting the indigenous population. Foreign investments are oppressing the Angolan people. Industrialization only provides Portugal the means of winning the war. Labour conditions are shocking ...

In particular, petitioners accuse Nato's members of giving Portugal military and economic assistance in her struggle against Angola. The Specialized Agencies are also the target for complaint, because of their refusal to comply with United Nations resolutions asking them to withdraw any financial loan to Portugal.

(70) A/AC. 109/L. 433, 29 Sept. 1967

(71) A/6868, 3 Nov. 1967
A/7320, 13 Nov. 1968.

(72) A/Res. 2288 (XXI), 11 Dec. 1967; A/Res. 2425 (XXI) 31 Dec. 1968

(73) A/6868/Add. 1, Appendix 8

(74) Ibidem pp. 14-28.

The General Assembly fully echoes these voices of protest and

"strongly condemns the exploitation of the colonial territories and peoples and the methods practised in the Territories under colonial domination by the foreign financial, economic and other interests which are designed to perpetuate the colonial regimes contrary to the principles embodied in resolution 1514 (XV)." (75)

The Special Committee also states that foreign economic interests constitute a "major obstacle" in the way of political independence and social justice. Foreign monopolies concentrate efforts in developing only those sectors yielding the highest profits and do orient production towards export crops, thus reducing the territory to the role of supplier of agricultural products and raw material to the metropolitan country. (76)

Trade Union activities and labour movements are greatly harassed by foreign monopolies.

(75) A/Res./2288 (XXII), 11 December, 1967, par. 4.

(76) A/7320, 13 November 1968, p. 6.

Remarks on the pros and cons of foreign economic interests.

Foreign aid and capital are debatable items. But one thing is sure: capital is needed for development to take place. If this capital is not available from internal sources, foreign capital may be welcomed. The problem, therefore, is not so much whether or not foreign capital should be accepted, but how should it be regulated in order to perform a useful function in the economy of the developing country.

Turning now to the almost unqualified condemnation of foreign economic interests by the United Nations, one can cast some doubts on the value of such an approach. To say the least, the language of the United Nations is too vague to be meaningful. Which are the foreign economic interests "impeding" independence? What is the use of political independence without economic independence? Would a territory like Angola, once independent politically, be in a better position than Portugal to develop internal resources and regulate the influx of foreign capital on more advantageous terms?

There is no easy answer to the preceding questions. More research and thorough examination both of the existing situation and of development trends in colonial territories as well as in recently independent African countries are

needed before passing a judgement. The examples of the Congo's crisis and of the Nigeria's civil war may, probably, cast some light on the danger of foreign economic involvement as well as on the futility of a merely political independence, hastily agreed upon.

4. Results: support for and evaluation of U.N. intervention.

Summary of Claims.

Daring claims and demanding requests have been (77) formulated by the United Nations with regard to Angola. Important attempts (78) have been made to implement them. But, at first glance at least, results did not fulfil expectations.

Apparent Failure.

In fact, it seems hard to imagine a more unsuccessful attempt by the world organization, in coping with the colonial problem, than the case of Angola. All United Nations claims to intervene in the Angolan conflict have gone unfulfilled. No visiting mission has been allowed to enter the territory. No political information has been transmitted. Portugal has even refused to acknowledge the principles of self-determination and international responsibility.

The proposals of the United Nations, requesting Portugal to cease repression, withdraw military forces, release political prisoners and negotiate with nationalist groups, have gone unheard. Efforts to isolate Portugal, politically, economically and militarily, up to now have failed. Still more distressing, even agencies belonging to the United Nations

(77) See General Assembly and Security Council resolutions on Angola.

(78) See section on the Appeal to the Bank.

family of institutions, such as the I.B.R.D., have refused to comply with United Nations resolutions against Portugal.

Reasons:

lack of support
for U.N. resolutions.

The reason for this apparent failure and scarcity of achievements seems to lie in the lack of qualified support for U.N. resolutions. The effectiveness of these resolutions is based on agreement, that is, on the degree of acceptance by U.N. members, mainly by the "great powers". "Who" initiates, who sponsors, who votes for a resolution, who is determined to implement it, are all questions that should be answered, before attempting to guess on the chance of U.N. resolutions to be effective. "What" resolutions are all about, is also of great importance: general questions of human rights and principles of political independence are more easily agreed upon; in matters of an economic and military nature, on the contrary, difficulties of agreement increase and U.N. interference is deeply resented.

Turning now to the problem of Portuguese territories, we realize that the degree of acceptance or support for U.N. resolutions among the great powers has not been high. Just a few examples will convince us. Sponsors, as for all anti-colonialists resolutions, usually are all members of the Afro-Asian group. (79a) But, the voting pattern (79b) seems to show a persistent unwillingness on the part of Nato's members and of the Latin-Americans to commit themselves to the U.N. policy against Portugal.

(79a) For instance, the meeting of the Security Council of 23 Nov. 1965 was requested by thirty-two African states and General Assembly resolution 2395 of 4 Dec. 1968 was sponsored by forty-seven Afro-Asian states.

(79b) See Annex LX, Section b.

With the bulk of the states, which hold the power, uncommitted, the chances of success of U.N. policy against Portugal were scant indeed. No direct impact of great significance of U.N. resolutions on Portugal could have been expected. (87)

Indirect
Impact.

At any rate, according to P. Wohlgemuth (88) it would be unfair to deny to the United Nations action a certain impact on the question of Portuguese territories, though this impact has been of an indirect nature. It can be expressed in two points: moral pressure on Portugal and support of national liberation movements. Moral pressure is exerted through the gathering and dissemination of information, the passing of resolutions stressing the right of the colonial peoples to self-determination and independence, the urging of negotiations between Portugal and the African states or, eventually, between the administering power and the leaders of indigenous political parties. This moral pressure had some impact on reforms and this, for the time being at least, is what really matters. The help to national liberation movements is evident in the assistance program for refugees, the hearing of petitioners, the frequent contact with the leaders of political parties in

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- (87) In the light of what we have just said, also the sincerity of the International Bank in asserting its independence from political motives in the granting of loans becomes doubtful. In fact, one has the right to ask whether the Bank, in refusing to take into account political considerations with regard to Portugal, was not obeying political motives: is not the different stand of the western powers with regard to Korea in 1951 and to Angola in 1966 that is at the root of the different decision by the Bank?
- (88) Wohlgemuth, P. the Portuguese territories and the UN, International conciliation, 545, No. 1963, pp. 1-68.

exile, the training of technical and administrative personnel among refugees, for the eventual future independent status of the territory.

The contact with political leaders in exile can prove to be particularly rewarding for the organization itself: it can pave the way for a better understanding between the United Nations and the new future independent state.

Significance of the Conflict.

But, the significance of the conflict between the U.N. and Portugal over Angola cannot go unnoticed. It is one of the toughest in the history of the organization. It simply reminds us of the fact that the U.N. is just a group of sovereign entities: the state is still the main unit of international politics and the actual world organization cannot command obedience from a state, no matter how small, if this state is determined to defy it and support for U.N. resolutions is lacking. (89)

In conclusion, the conflict between Portugal and the U.N. is particularly significant not only because Portugal has questioned all the specific claims of the U.N. to interfere with the administration of her territories, but also because Portugal has challenged the overall philosophy of the United Nations on decolonization. Transposing the problem at the level of racialism versus multi-racialism, Portugal accuses the U.N. of betraying the principles of the Charter in fomenting nationalism and racial hatred. Further, the conflict between the U.N. and Portugal obliges us to face the real problem afflicting the United Nations, namely, the adoption

(89) Obedience to U.N. resolutions is dependent on the balance of pressures and forces which exist behind the passing of these resolutions. What are the risks of defying these resolutions, what are the disadvantages. These depend on great power attitudes primarily, but also on practical significance of incurring the wrath of developing countries.

of a "double standard" by many member states of the world organization. The assertion of the right of the United Nations to a voice concerning individual and collective rights in regard to colonial territories, inevitably carries wider implications of U.N. responsibilities with respect to independent states.

Now, even newly independent states, perhaps one should say these states more than others, judging, for instance, from the case of Nigeria, are opposed to the U.N. asserting such rights in their regard.

EQUATORIAL GUINEA

We will follow here the same procedure as we did for Angola, that is: first, a brief outline of the situation in the territory will be given, then the Spanish position examined and finally an account of United Nations intervention on behalf of the territory provided, in **order to be** able to evaluate the impact of international responsibility in the decolonization process of Equatorial Guinea.

1. The Situation in Equatorial Guinea (1)

Equatorial Guinea is made up of two main parts: the Island of Fernando Poo and the enclave of Rio Muni, between Cameroon and Gabon. The Spanish colonization of the territory started in 1778. Equatorial Guinea became an overseas province in 1959. A statute of autonomy was granted in 1963 and independence in 1968

The economic condition of Equatorial Guinea is not one of the worst in Africa, at least judging from the annual per capita income, which, according to government sources, was \$200 in Fernando Poo and \$50 in Rio Muni in 1960, jumped to

(1) More details are available in Annex VIII

\$246 and \$91 in 1963, and reached \$332 and \$133 in 1966, respectively. The economic and Social Development Plan for 1964-67 envisaged an annual cumulative growth rate in Gross Regional Product of 7.56%.

Social conditions are also improving. In 1966 there were hospitals with a total of 1,500 beds, plus a leper hospital with 200 beds. Doctors are on the ratio of one to every 3,500 persons. Scholarization of the younger generation seems almost complete. (2) Scholarships for higher education have been granted every year up to a value of 3.5 million pesetas. In 1962, one hundred thirteen Guinean students under scholarships and one hundred without scholarships were attending courses at universities and colleges in Spain.

(2) The total school population in 1966 amounted to 40,000 persons.

2. The Position of Spain:

Respect for the will
of the people and
compliance with U.N.
resolutions.

Spain has been softer than Portugal in its approach to the colonial problem. In the Decree Law of 17 February 1968 on Equatorial Guinea, it is proudly stated that the Spanish Government did respect, "at all times the desires and wishes of the people of Equatorial Guinea regarding their future". (3) And, in so doing, Spain has also constantly complied with United Nations' resolutions, which, she says, "are basically in accord with the spirit underlying the Spanish Government's policy in the matter". (4)

Decolonization's
Stages.

As a matter of fact, in 1957, conscious of the international responsibilities freely assumed, Spain started transmitting information requested under Article 73 of the Charter. Then, in 1959, the first stage of decolonization was set, when Equatorial Guinea, becoming a province of Spain, acquired the same rights with the metropolitan countries. The statute of autonomy of 1963, the second stage of the decolonization process in the territory, was meant to be a preparation for complete independence.

(3) Decree-Law No. 3/1968 of 17 February 1968, in A/7200/Add. 4 (Part 1), 9 October 1968, pp. 36-37.

(4) Ibidem, p. 37.

The third and final stage of decolonization took place in 1968 when the Spanish Government suspended the autonomy's statute of 1963, cancelled elections, announced the resumption of the Constitutional Conference and started consultation to arrange for supervision of election by the United Nations.

To unsatisfied members of the Special Committee, often asking more than the colonial peoples themselves really want, the representative of Spain recalled that "by cancelling the elections, his government had complied with the wishes of the political parties in Equatorial Guinea and ... recognized it as a fact that they would achieve independence". (5)

The behaviour of the Spanish delegation at the constitutional conference was also a proof of the good intention of Spain: in fact, it did not take part in the debates, except for opening and closing addresses or technical speeches. If the representative of Spain could not elaborate on future plans, such as the setting of a date for independence or on the change of the electoral system, this was due to the importance the government of Spain attached to the Constitutional Conference, which alone had the right to determine the future for the people of Equatorial Guinea. (6)

(5) A/AC. 109/SR. 579, 4 April 1968, p. 4.

(6) A/AC. 109/284, 21 February 1968, p.4.

Acknowledgements
of the sincerity
of Spain.

The sincerity of the Spanish position has been acknowledged by the people of Equatorial Guinea themselves, as it may be read in the words of Mr. Salome Jones, stating that Spain was giving "a fine example to the whole world" of how to end colonialism. (7) The United Nations too, after the visiting mission of 1966, had manifested "full satisfaction and appreciation" to the Spanish Government for the assistance provided which was "unprecedented in the annals of the Special Committee". (8) Thus, the Spanish representative concludes, all members of the Special Committee could be assured that "in spite of what some people had said, Equatorial Guinea would not have to fight for Independence." (9) Spain would be very glad indeed, if the same thing were true for other colonies, Gibraltar in particular. (10)

Evaluation of the
Spanish Position.

From this brief summary of the Spanish position in the decolonization process of Equatorial Guinea, it is apparent that Spain adapted her policies quickly and rather smoothly to changing circumstances.

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- (7) A/AC. 109/SR. 583, p. 57.
 - (8) Ibidem, p. 58.
 - (9) Ibidem, p. 59.
 - (10) A/AC. 109/SR. 587, p.107.

The main reasons for this adaptation, according to Spanish officials, (11) are three: the tradition of a civilizing mission and of respect for international law felt by Spain; the will expressed by the people of Equatorial Guinea in favour of self-determination and independence, within the general movement of African nationalism; the action of the United Nations in the whole field of colonialism. But, judging from the mention of Gibraltar in the speech of the representative of Spain, this question must have weighed heavily on the decision of Spain to decolonize Equatorial Guinea. At any rate, the fact that Spain gives some credit to the United Nations, as an agent of decolonization, is significant. After all, the question of Gibraltar can be linked to the desire of Spain to gain support at the United Nations in its struggle against Britain over the Rock.

To see the extent of the role of the United Nations in the decolonization process of Equatorial Guinea, let us now examine the United Nations' interventions on behalf of the territory. First, claims and facts will be presented; then we will attempt an evaluation of them.

(11) Documentos historicos, Textos fundamentales de Guinea Ecuatorial, SIE, Madrid, 1968, p. 64.

3. United Nations' Intervention: analysis of claims and facts.

a. Claims.

The Special Committee first considered Fernando Poo and Rio Muni in 1963. (12) The first resolutions on Equatorial Guinea were adopted by the Special Committee (13) in 1964 and by the General Assembly in 1965 (14) following the report (15) by the Special Committee and asking:

"the administering power to set the earliest possible date for independence after consulting the people on the basis of universal suffrage under the supervision of the United Nations." (16)

Thus, the world organization made three important requests to Spain:

to fix a date for independence for the territory;

to change the electoral system from an indirect one to a direct one, based on universal suffrage;

to accept United Nations supervision of election.

Unusual as it may sound, Spain will comply with all these requests in less than three years time.

After the visiting mission of 1966 (17), the General Assembly adopted resolution 2230 and asked the administering power for the

(12) A/5446/Rev. 1. Chapt. 15

(13) A/5800/Rev. 1, Chapt. 9

(14) A/Res./2067 (XX), 16 Dec. 1965

(15) A/6,000/Rev. 1, Chapt. 10

(16) G.A. Res. 2067, para. 2

(17) A/AC. 109/L. 314 7 July 1966; A/6300/Add. 7.

- "a) Removal of all restrictions on political activities and establishment of full democratic freedoms;
- b) Institution of an electoral system based on universal adult suffrage and holding, before independence, of a general election for the whole territory on the basis of a unified electoral roll;
- c) Transfer of effective power to the government resulting from this election." (18)

The unity of Equatorial Guinea should have been safeguarded and supervision of election insured.

In particular, Spain and the specialized agencies were urged to increase assistance in order to speed up the economic, educational and social advancement of the people of the territory. Noteworthy is the suggestion to convene a consitutional conference

"in which the various political parties and all sections of the population would be fully represented." (19)

The evolving situation in the territory and implementation of the above-mentioned resolutions were closely under the scrutiny of the Special Committee during the years 1967 (20) and 1968. (21)

(18) A/Res./2230 (XXI), 5 January 1967, par. 4.

(19) Ibidem, par. 6.

(20) A/6700/Add. 6, par. 87.

(21) A/AC. 109/L. 453, 28 March 1968;
A/AC. 109/289, 1 April 1968.

b. The Facts.

Now, in order to evaluate the United Nations' involvement in the decolonization process of Equatorial Guinea, we will provide a more detailed account of three particular items, which seem to resume the main United Nations requests concerning Equatorial Guinea:

the visiting mission of August 1966;
the constitutional conference preceding independence;
the supervision, by the United Nations, of election leading to independence.

Visiting Mission (22)

We will provide a certain amount of details on this visiting mission, just to show how extensively the right to first-hand information is applied, when it is allowed to function; its usefulness in evaluating the situation in the territory; what contributions it can make to the solving of the problems studied.

On 21 June 1966 the Special Committee accepted the invitation from Spain to visit Equatorial Guinea and decided to send a sub-committee there, during the third week of August. (23)

(22) A/AC. 109/L.348

(23) Members of the sub-committee were chosen among the representatives of Sierra Leone, Chile, Denmark, Mali, Poland, Syria and the United Republic of Tanzania.

Meetings in
Spain.

In Madrid, on the 17 and 18 of August, Spanish officials provided the sub-committee with preliminary information on political, economic and social matters. From a political point of view, they made clear the intention of Spain to grant independence to Equatorial Guinea, if the people so wished. Changes in the constitutional status of the territory could be carried on by a two-third majority in the General Assembly, or by a simple majority in a popular referendum. A referendum could also solve the question of direct elections.

In the economic field, mention was made of a diversification programme for agricultural goods, which contemplated an increase in the cultivation of bananas, yuccas and pineapples, instead of an expansion of cacao and coffee production. On the problem of trade, Spanish officials drew the attention of the sub-committee's members to the preferential treatment of Guinean products in Spain. (24) As far as foreign economic interests were concerned, foreign companies were free to export their profits, "however, it was the normal practice for these companies to reinvest their profits locally, and this practice was expected to continue." (25)

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- (24) Spain was buying the Territory's cacao at 42 pesetas per kilogramme as compared with the current world price of 17 pesetas, and coffee at 67 pesetas per kilogramme as compared with the average world price of 40 pesetas.
(A/AC/109/b. 348, p. 26, para. 79)
- (25) A/AC. 109/L. 348, p. 31, para. 99.

Socially, technical education was a priority. About one hundred students graduated annually from agricultural and industrial schools. The training of adults indigenous workers was of great concern to the Spanish Government and trade union organization. A centre, the first School of Intensified Professional Training, had been opened for that purpose (26). The trade union organization was also determined to assist the Guinean workers in such fields as collective bargaining, social security and the establishment of adequate levels of employment. (27)

Meetings in
Equatorial
Guinea.

In Equatorial Guinea, on August 20, the visiting mission first met the Commissioner General, who assured the sub-committee that it was at liberty to interview whom-ever it wished, and that he would extend his full co-operation to it. (28) He also declared that sovereign independence was the final goal for Equatorial Guinea. No economic interest kept Spain in the territory, but only the desire to protect it against the danger of neo-colonialism and unscrupulous foreign economic interests. Political parties have been free to carry out their activities, at least since the regime of autonomy began.

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- (26) Persons between the age of 18 and 41 were eligible to qualify as metal or construction workers, mechanics and electricians. Some seventy persons had already taken the necessary course. The average cost of training a skilled worker was of 40,000 pesetas, that is, almost \$700.
- (27) The average salary for Guinean workers in 1963 was of \$132 a year. In 1967 it was expected to raise to \$170.
- (28) A/AC.109/L.348, p. 32, par. 104.

On 23 August 1966, the mission heard from the Civil Governor of Rio Muni. He believed that independence should be granted to Equatorial Guinea, though some doubts existed on the preparedness of the territory, due to its small size and to the division within the nationalist movement. Political parties were too much aligned along tribal groups and too discontented with the distribution of official posts after the elections of 1963 to be able to present a truly national program. It was urgent, therefore, to harmonize the ideas, objectives and efforts of the people in regard to independence. (29) The electoral system should be adapted to conditions after independence. More say to the president of the Governing Council in the choice of his ministers seems to be a conditions for efficiency.

The intervention by the president of the Assembly, Mr. Gori Malubela, was much on the same line. In particular, he noted that for some peoples independence meant association with Cameroun or Gabon, for others with Spain. The great majority of the people of Rio Muni wanted a unitary system of government, while the Bubis of Fernando Poo would have preferred separation from Rio Muni. These centrifugal tendencies were based upon real diversities, geographical and economic as well as cultural. Three factors should be taken into consideration before setting a date for independence: the small size of the territory, its economic situation totally dependent on the Spanish market for exports and the danger of annexation by neighbouring states.

(29) Ibidem, p. 36, par. 119

The representatives of the three major political parties had some complaints to voice against the administering power for the discrimination in the administration of justice(30) and in the distribution of wages, (31) the restrictions in political freedom, the slavish conditions of labour,(32) the poor health facilities, illiteracy and scarcity of scholarships. In particular, almost all commerce and 99% of the arable land were said to be in European hands. One can guess at the exaggeration of such statements by looking at the claims for membership in the main parties. MONALIGE (33) estimated its registered members at 195,000, IPGE (34) at 160,000. In percentage, MONALIGE claimed for 90% of the population, MUNGE (35) and IPGE together for 80%. Members of all parties, at any rate, expressed gratitude to Spain for what had been achieved and their hope that close links between the two countries will be maintained in the future within the great family of the Spanish speaking world.

On August 20, 1966, groups of individuals from Fernando Poo requested the total separation of Fernando Poo from Rio Muni, (36) while the Provincial Council of Rio Muni, on 22 August 1966, manifested the opinion that a plebiscite should be held on the future constitution and that the votes should be counted for the "Territory as a whole".

(30) They stated that only convicted indigenas were sent to goal.

(31) 1,500 pesetas per month for indigerous against 12,000 for Spaniards

(32) There were in the country only 72 physicians and 163 indigenous medical assistants for a population of almost 300,000 persons.

(33) Movimiento Nacional de Liberacion de la Guinea Ecuatorial.

(34) Idea Popular de la Guinea Ecuatorial.

(35) Movimiento de Union Nacional de la Guinea Ecuatorial.

(36) Fernando Poo contributed 81% of the revenue, Pio Muni accounted for 83% of the expenditure.

Conclusion on the
Visiting Mission.

To conclude on the work of the visiting mission,
we can assume that it was a fruitful one.

Information were asked and obtained on almost any
topic, from trade to educational facilities, from political
rights to the administration of justice, thus highlighting the
situation in the territory to a very considerable extent.
Important suggestions were advanced and later implemented,
such as the holding of a constitutional conference, the
changing of the electoral system from an indirect one to a
direct one, the granting of independence to Equatorial Guinea
as a single political unit. Difficulties were also brought
to light, like the small size of the territory, its economic
dependence on trade with Spain, the tribal animosity between
the Bubis of Fernando Poo and the Fangs of Rio Muni. One
is amused to realize that the local leaders usually give the
impression to be more moderate than some of the Committee's
members at the United Nations.

The Constitutional Conference

The Constitutional conference of representatives of the people of Equatorial Guinea to determine their future, repeatedly requested in Special Committee's or General Assembly's resolutions and announced by the representative of Spain during the twenty-first session of the General Assembly, finally convened in Madrid on 30 October 1967.

During the first phase of the Conference (37), lasting through November 15, two major issues were debated: the demand for total independence by 15 July 1968 and the question of separation of Fernando Poo from Rio Muni. It was made clear that the independence of Equatorial Guinea would in no way affect negatively the ties with Spain. On the question of the separation of Fernando Poo from Rio Muni, the Union Bubi asked for immediate separation of the island from the mainland; the Union Democratica was ready to accept a federal solution; but the representative of the major parties stood firmly for a unitary system of government.

While the conference was adjourned, the Spanish government expressed its readiness to accede to the request of independence of the territory and repeated its willingness to ask for United Nations' supervision of elections. As a preparatory step, the whole electoral system foreseen by the

(37) A/7200/Add. 4 (Part 1), pp. 16-23.

law of 20 December 1963 was suspended and the terms of office of all existing elected officials were extended until the promulgation of the new political statute for Equatorial Guinea.

In the meantime, members of the Special Committee of Twenty-four were urging for the immediate re-opening of the conference and for the fixing of a date for independence without delay. According to the members of the Special Committee, the purpose of the conference was not to discuss the fact of independence nor the future relations of the territory with Spain, but only the adoption of the independence constitution and of a new electoral system.

When the second phase of the conference started on 17 April 1968, lasting through the 22 of June 1968, these were really the issues at stake. On 27 June the Deputy Permanent Representative of Spain to the United Nations informed the Secretary General of the results of the constitutional conference, which "as planned ..., (had) drafted the constitution and the electoral law of Equatorial Guinea." (38) Before the current year ends, the representative of Spain concluded, Equatorial Guinea will become independent and, hopefully, a member of the world organization.

(38) A/7400/Add. 4 (Part 1), p. 29.

Summary &
Evaluation.

Though a proposal for direct participation of a United Nations delegation at the conference table was turned down, the indirect impact of the Special Committee on the handling of the Constitutional Conference seems to have been appreciable, from the planning and convocation's stages to the debates' period. The agenda of the Conference was under constant scrutiny. In particular, the Committee insisted that no agreement should have been discussed nor any treaty signed between Spain and Equatorial Guinea, concerning their future relations, before the independence of the territory, since only independence would have given Equatorial Guinea an equal foot in negotiations with Spain.

Supervision of Elections

In July 1968 the representative of Spain informed the Special Committee that a referendum on the constitution would be held on the 11th of August and elections on the 22nd of September 1968; independence would be declared on the 12 of October 1968. A United Nations mission to supervise election was welcomed.

On August 6, 1968 the Secretary General of the United Nations announced the appointment of the members of the mission, (39) which arrived in Equatorial Guinea on the 10th of August. On the day of the referendum one group of the mission visited nine polling stations on the island of Fernando Poo and two in Rio Muni; a second group visited eleven other polling stations in Rio Muni only. (40)

On the basis of information gathered and of its own observation, the mission presented an aide-memoire to both the Electoral Commission in the territory and to the Inter-Ministerial Committee in Madrid, making the following suggestions, which were all implemented.

The mission, to start with, asked for and obtained the extension of the right to present a list of candidates not only to all parties which attended the Constitutional Conference, but also to any section of such parties, when they

(39) Chile, Iran, Niger, Syria and the United Republic of Tanzania.

(40) Results of the referendum gave 72,458 votes in favour of the Constitution, 40, 197 against.

had split up. The period for registration was also extended until August the 31st. Then the updating of the electoral roll was requested. It was concluded on the tenth of September: 14,000 new names were added to the list used for the referendum of the previous month. Finally, to secure secrecy of voting, the mission urged the electoral committee to make sure that in each polling station a separate room would be reserved for voting's operations and an envelope provided for each ballot. To prevent complaints and to further fairness of voting conditions, the mission recommended the presence in each polling station of a representative each for all the parties contesting election there. A request for stationing at least one United Nations observer in each of the thirteen electoral districts was advanced and easily granted. The United Nations observers, sent by the Secretary General, arrived in the territory on September the tenth, the day before the opening of the election campaign, which was waged in an atmosphere of peace. (41)

The only major complaint, according to the mission, was directed against the electoral roll, since a few names had been forgotten. But this in no way, the head of the mission declared, affected the outcome of the election. (42)

(41) The results of the first round on the twenty-second of September did not give any of the four candidates to the Presidency an absolute majority: Mr. Franco Macia Nguema got 36,716 votes; Mr. B. Ondo Edu 31,941; Mr. A. Ndongo Niyome 18,223,; Mr. E. Bosio Dioco 4,785.

(42) A/7200/Add. 4 (Part 1), p. 57.

4. Results: Evaluation and Comparison

Evaluation of Results in Eq. Guinea.

The question of Equatorial Guinea does not seem to have raised too hot debates at the United Nations: the practice did follow the theory pretty close. The very concrete suggestions concerning the election of 1968, coupled with those of the visiting mission of 1966 as well as the interest of the Committee of Twenty-four in the Constitutional Conference of 1967-68, give us an idea of the extent of the international control in the final stages of the decolonization process of the territory, both in principle and in practice. The acceptance of this control by Spain gave the United Nations resolutions all the support they needed to be implemented and surely contributed to make the decolonization of Equatorial Guinea one of the quietest ever. (43)

The impact of the United Nations intervention on the evolution of Spanish colonial policy has been acknowledged by Spain itself, as it has already been pointed out.

Consequently, the case of Equatorial Guinea seems to have strengthened the concept of international responsibility in two ways, at least:
firstly, as an example of "implementation" of United Nations claims in regard to a non-self-governing territory;

(43) See Annex IX, Section C.

secondly, as an example of acknowledgement of the United Nations role in the decolonization process in general by an administering power itself.

Now, to better understand both the significance and the limits of United Nations intervention in the colonial field, let us compare the results in Angola and Equatorial Guinea.

Comparison of
results in Angola
& Equatorial Guinea.

We have briefly examined two cases of colonial situation, which have yielded very different results. Shall we look for reasons at the United Nations or elsewhere? A glance survey of the domestic scene of the metropolitan countries and their respective territories as well as the consideration of some international factors will, perhaps, afford a meaningful answer.

The general attitudes in Portugal in regard to the overseas provinces can be summed up in the determination of both government and people to hold on indefinitely, due, maybe to a tradition of five centuries of possession and to the importance of the territories themselves.

On the other hand, the presence in Angola of a large number of colonizers, a policy of racial integration, the underdevelopment of the territory, the sharp division within

the national liberation movement, are all elements which add strength to the determination of Portugal.

At the international level, Nato's membership the little value to Portugal of all Afro-Asian opposition at the United Nations, amounting in terms of trade or military strength to no more than three per cent; the double standard applied by the United Nations in its approach to colonialism, that is, the refusal of the United Nations to condemn the Indian occupation of Goa, make Portugal bolder in its defiance of United Nations resolutions.

Spain, on the contrary, seemed to have been psychologically more prepared to "sacrifice" her overseas possessions. A strand of thought favourable to international law, the precedent loss of both the American colonies at the beginning of the nineteenth century and the Philippines toward the end of the same century had taught Spain how to adjust her policy to new realities.

The small size of the territory and its little significance in terms of trade with the mother-country made the decision to decolonize Equatorial Guinea easier.

At the international level, the question of Gibraltar seems to have played a significant role: since Spain did consider herself to be at the same time a colonial power and a colonized country, she had to behave properly as a colonizer, to expect a fair treatment as a colonized country. In other

words, the friendship and support of the Afro-Asian at the United Nations was more important to Spain than the possession of a small African province.

Conclusion on Case Studies

To conclude on the case studies, we can say that, among the agents of decolonization external to the territories, the attitudes of the colonial power are still predominant. The impact of international control is only indirect and subordinated to the will of the colonial power. Of course, the action of the United Nations must be taken into account by the colonizer, before issuing a decision, but it may weigh more or less according to circumstances and national interests. In the case of Portugal, the claims of the United Nations for international responsibility seems to have hardened her position on the political question of independence, though the same claims may have accelerated the process of administrative, economic and social reforms.

In the case of Spain, the acceptance of international control made the decolonization of Equatorial Guinea one of the smoothest ever.

To weigh exactly this impact in one case or the other appears to be a rather difficult task, since politics is made mostly of assumptions, human perceptions or apprehensions, which are rather unmeasurable, often unpredictable elements.

CONCLUSION

Recalling the
thesis main
object.

In the introduction we stated that the main purpose of the thesis was to examine and to assess the contributions of the United Nations in general and of the Committee of Twenty-four in particular to the development of the concept of international responsibility in the colonial field.

Having considered the evolution of the U.N. role in the decolonization process up to 1960, in the first chapter; then, the significance of the Committee of Twenty-four, in the second chapter, and its role in relation to two specific cases in the third chapter, it is time now to attempt to draw certain conclusions.

Division
of the
Conclusion.

We will, therefore, first, assess the actual widening of U.N. responsibility with regard to non-self-governing territories, both in principle and in practice. Then, we will point out possible implications of the concept of international responsibility for independent states and some guidelines for future research on the topic.

1. Actual widening of U.N. responsibility in the colonial field.

Generally speaking, from the research we have done, it seems fair to conclude that international responsibility in the colonial field has been strengthened by the intervention

of the United Nations, both in principle and in practice.

Contributions in principle.

The extent, to which the U.N. has contributed in principle to the development of the concept of international responsibility in the colonial field, is obvious from the claims that have been advanced through the years. Starting with the right, stated in the Charter, to receive from the administering powers information of a technical nature on non-self-governing territories for information purpose, the United Nations has claimed the right to get first hand information on any topic affecting colonial policy, from the defense of individual human rights to the regulations of foreign economic activities in the territories.

In particular, the world organization has insisted on its right to information on political and even on military matters, to hear petitioners, to send visiting missions, to make specific recommendations on individual territories and on particular issues.

In the meantime, guidelines for determining which territories should be deemed non-self-governing as well as a list of such territories were established; criteria for self-government and independence put forward

One has gone so far as to condemn foreign economic interests; to ask for demobilization of colonies and the fixing of dates for their access to independence; to request

that enforcement measures be enacted against administering powers, such as Portugal, unwilling to comply with United Nations resolutions. In other words, the United Nations has claimed a say in the final disposition of all colonies, large and small: the Committee on Information defended the right of all colonial peoples to UNCONDITIONAL SELF-GOVERNMENT in all matters, cultural and social as well as economic and political; the Committee of Twenty-four affirmed their right to UNCONDITIONAL INDEPENDENCE.

Contributions in practice.

Though the record of practice seems to be less convincing than the record of claims, here too achievements have been significant. In specific and limited areas, we can point to the submission of political information by the majority of administering powers, the sending of a few visiting missions, such as the one on Equatorial Guinea, the hearing of many petitioners, the training programs for refugees from Non-Self-Governing Territories, such as the one for the Angolan refugees in the Congo. In a broader context, all kind of help, both in political and economic terms, was provided by the United Nations to national liberation movements or newly independent countries, from the advantages derived for propaganda or political bargaining of discussions and resolutions in the United Nations arena to the activities of the Specialized Agencies in the Non-Self-Governing Territories themselves.

In such a broader sense, millions of people have benefited, to some extent and at least indirectly, from United Nations involvement in colonial issues. (1)

Feed-back of the
decolonization
process on the
U.N. itself.

A simpler way of assessing the actual widening of the concept of international responsibility in the colonial field is to look at effects of the decolonization process for the United Nations itself, that is, at changes taking place within the world organization, in scope as well as in activities and structures.

Due to a considerable extent to the decolonization process, the United Nations' concern has moved from security to welfare, from the maintenance of the status quo to the problem of development, both political and economic. The 1945 picture of an 'armed concert' of great powers has dissolved and the United Nations has increasingly become the arena for pressure groups of smaller powers fighting for political independence and economic development. (2)

Interesting enough, even in the field of security, the more meaningful United Nations operations have been launched in the shadow of decolonization, such as the peace-keeping forces at Suez, in the Congo and in Cyprus.

Consequently, not only as an agent of development, but also as a peace-keeper the United Nations seems to have

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- (1) U Thant, U.N. Office of Public Information, in U.N. Monthly Chronicle, Vol. 1, No. 1, May 1964, p.1.
 - (2) Goodwin, Geoffry, The expanding United Nations: II Diplomatic Pressures and Techniques; International Affairs, April 1961, No. 2, p. 171.

been strengthened by the decolonization process.

And, what is only natural, shifts in scope, issues and activities have been reflected on the structure of the organization with all organs being affected in their composition and functioning, and particularly with the General Assembly, the organ which affords the smaller power a greater say, gaining momentum. (3)

Such a widening of U.N. responsibilities has been possible, due to the determination of the new countries, that is, of the ex-colonial nations, to stick to the United Nations as the main body for discussing issues of world politics, to give the widest interpretation and implementation to the principles of self-determination and economic co-operation, to remain aloof from East-West rivalry, while exploiting the opportunities offered to them by the Cold War within the United Nations context. (4)

If all suggestions by China to create a rival organization have failed to draw support; if Russia had to withdraw its 'troika' proposal and in the end accept the Congo operation; if even the two military alliances, Nato and the Warsaw Pact, put on as a substitute to the Security Council, seem to be moving towards an end, one has the impression that much of the credit should be attributed to the pressure of the

(3) Clark, William, *New Forces in the U.N.*; International Affairs, Vol. 36, July 1960, pp. 323-24.

(4) Hoskyns, Catherine, *The African States and the U.N.*; 1958-64; International Affairs, Vol. 40, No. 3, 1964, p. 466.

Third World countries, that is, to the success of decolonization.

Limits of the Research

Of course, all the above-stated points of view cannot be taken too categorically, because the present research is too limited to allow definitive judgements. A comprehensive survey of the widening of the concept of international responsibility and of the strengthening of the United Nations should at least include discussion of questions such as the defense of human rights, the problems of economic co-operation, collective security, and the trusteeship system. The concern of this thesis, instead, was limited to the political significance, in terms of international responsibility, of U.N. involvement in behalf of Non-Self-Governing Territories.

Also in this limited field, the use of modern techniques of direct observation and a more thorough analysis of the political support behind U.N. resolutions would have been most useful, in order to appreciate and evaluate the real significance of U.N. actions. We have, instead, carried on our research mainly through the examination of resolutions or reports and the attempts to implement them, while giving only very cursory attention, for reasons already explained in the introduction, to the question of political support.

In Annex 1X, we have provided, it is true, some clues on voting alignments at the U.N. in a few resolutions on colonialism. The general pattern seems to suggest that on principles of self-determination and humanitarian assistance there has been almost unanimous agreement. On more specific issues, which tried to spell out the implementation of principles in the political, economic, military or social fields, Nato powers usually voted against or abstained, while other Western European Countries and the majority of Latin Americans almost constantly abstained.

But, to reach definite conclusions, a more thorough analysis of political factors and forces is necessary. The problem of implementation of U.N. resolutions also needs to be studied more thoroughly and in greater detail.

Reliable
Hypothesis.

At any rate, gathering impressions from a personal analysis of documents and from more general readings, and recalling the U.N. involvement in the two case studies, we can advance the following hypothesis:

- a. The concept of international responsibility has been widened by the U.N. activities in the colonial field, as both U.N. claims and actions with regard to Angola and Equatorial Guinea appear to show.
- b. The U.N. itself seems to have been strengthened by the decolonization process.

- c. The value of U.N. claims should be measured by the degree of acceptance of U.N. resolutions, that is, by the extent and nature of the support they are able to muster, mainly from Great Powers or the Countries concerned with, as the different results for Angola and Equatorial Guinea indicate.
- d. In practice this 'qualified' support for U.N. claims decreases as one moves from the general to the particular, from principles to implementation, as it may be deduced from Annex IX.

2. Implications for independent states.

The relations between the world organization and national states have been affected by the widening of the concept of international responsibility in the colonial field. In particular, the insistence on self-determination and the establishment of criteria for self-government or independence clearly infringed upon the areas of domestic jurisdiction of states. Thus, the whole U.N. philosophy on decolonization would seem to have undermined the concept of sovereign authority of the colonial powers and strengthened the concept of limited sovereignty, at least in the colonial field.

But, decolonization is almost over. Will the concept of international responsibility also pass with colonialism? After all, decolonization is more the victory of nationalism than of international organization. The answers seem to be in the negative: international responsibility, probably, will not pass

with colonialism. We base our assumption on the logical implications of the principle of self-determination and still more on the broader context of other principles of the Charter and U.N. activities concerning the fields of security, human rights and economic cooperation, in which fields more permanent trends seem to persist, favouring an expanded U.N. responsibility, due to a presumably continued support from Developing Countries.

The "philosophy" on self-determination for colonial peoples logically carries broader implications for all independent states, for instance regarding respect for democratic procedures and minority rights, the treatment of secessionist movements and nationalization of foreign enterprises.

In principle at least, one does not see how the enlarged view of U.N. responsibility can be limited in application to colonial powers. One may even ask whether the criteria for self-government or independence, based on the 'will of the people', geographical separateness and ethnic distinctiveness, are not applicable also within the boundaries of the so-called 'national' states.

But, the main reason why we believe that the concept of international responsibility will not wither away with the end of decolonization, is the fact that it has many ramifications in the Charter itself, from the rather temporary links on questions of Trusteeship and Non-Self-Governing Territories to more durable ones on collective security, the defense of human rights, and economic co-operation.

Consequently, a concept of 'limited sovereignty' in specific fields seems very much in line with the spirit of the U.N. Charter. As already pointed out, a more structured concept of limited sovereignty is appearing on the international scene with the suggestions advanced to grant smaller colonies a special status of associated membership with the United Nations, as an alternative to full sovereignty and independence or continued colonial or quasi-colonial status.

But, once again, to understand the real meaning of such trends and their chances of durability, a deeper and more detailed examination of 'political supports' should be undertaken. We should know 'who' stands for 'what'. In other words, which are the states supporting the U.N.? In what field and to what extent are they prepared to get along with U.N. claims?

Generally speaking, one has the impression that Developing Countries will continue to regard the United Nations as an important factor in world politics. But, in the field of security or disarmament, and on the question of aid to development, for instance, will the pressure of Third World Countries be significant enough to bring U.N. action? Or, at least, may we suppose that the cost of the arm and space races, and the prospective gains of an enlarged world market will convince the Great Powers to change words into deeds?

One may go even further and ask if the support of Developing Countries for the U.N. is really going to continue.

The reluctance of the new nations to accept for themselves the consequences of the principles they have defended

is rather disturbing. For instance, it seems hard to understand why the United Nations should have been concerned with the illusory independence of 3,000 persons in the island of Nauru, while it has been forbidden to get involved with the destiny of millions of Biafrans. THIS DOUBLE STANDARD CONSTITUTES ONE OF THE GREATEST DANGERS FOR THE ACTIVITIES OF THE U.N. AND ITS CONTINUED EXISTENCE. If the New Countries and the Communist Bloc do not seem to be much concerned with the question of Human Rights, why should the West pay for Development?

3. Guidelines for future research on the subject.

It is a common place to observe that usually one learns from experience and mistakes. For our own instruction and for the benefits of other researchers, it does not seem inappropriate at the end of this thesis to recall some of the lessons we have learned in attempting to handle the topic of international responsibility in the colonial field.

The first lesson we have learned consists in having realized more and more, all along the research, that the three avenues of inquiry for the study of the problem of the United Nations and decolonization, namely, the impact of the U.N. on the colonial peoples, the feed-back of the decolonization process on the world organization itself, the contribution of the U.N. to the idea of international responsibility in the colonial field, are so interwoven that they look like three aspects of the same reality. In fact, they are like the three dimensions of the concept of international responsibility, which, to be properly measured, should be considered from the three

points of view simultaneously. But this cannot be the task of an M.A. thesis or indeed perhaps of a single researcher.

The second lesson, we can bring home, tells us that also in the realm of ideas we cannot divorce principle and practice, at least in political science. More time would have been necessary to examine the behaviour of states within the Committee, the political support behind U.N. resolutions, the extent of U.N. impact on the two case studies, in political as well as in economic and social matters. Further, the concept of international responsibility is clearly related to the study of international law. An interdisciplinary approach could have proved more rewarding.

The third lesson follows from the first two and amounts to this: the content of our research was too large, the methodology too limited. The two questions are obviously related: a delimitation of topic allows the application of a more rigorous methodology.

As a consequence, we could have been tempted to limit our topic and to widen the conceptual framework, adopting a 'one issue' or a 'one actor' approach as an easier and a more fruitful one. The study, for instance, of one field of interest of the Committee, such as the request for the fixing of a date for independence for colonial territories, the survey of foreign economic interests, the suggestion for association of smaller colonies with the United Nations; or the examination of the behaviour, within the Committee, of one state or group of states, such as the U.S.A. and the U.S.S.R. or the Nato and Warsaw Pact

countries, would have provided the opportunity of applying a broader analytical framework in all its stages of observation, comparison and formulation of hypothesis.

A 'one issue' or 'one actor' research would have permitted the indirect observation to be carried through, not only by examining resolutions or general reports, but also speeches and debates, negotiations and pressures' manoeuvres, voting alignments and implementation efforts. Such an indirect observation could have been supplemented by a more direct observation, such as the use of interviews. Finally, a comparison of findings from indirect and direct observation might have paved the way for more reliable conclusions and meaningful hypothesis.

All this sounds beautiful, in theory at least. But, in practice, as our subject of research is concerned, had we decided to limit our topic and to widen the conceptual framework of analysis, we would have run against a set of three basic difficulties. To begin with, since very little was available on the Committee of Twenty-four, how to get to the specific without first attempting to provide a general picture of the Committee's tasks and activities?

Secondly, it would have been very difficult to find, develop and apply a rigorous method for evaluating the exact significance of U.N. resolutions in the colonial field.

Thirdly, such an approach had obviously to rely, to a greater extent, on a more direct knowledge, the access to which, as already pointed out, was unavailable to us.

At any rate, to sum up on guidelines for future research, we may lay down four points:

- a. Research "d'equipe", even for M.A. thesis, seems preferable.
- b. An interdisciplinary approach could prove more fruitful.
- c. The topic must be as limited as possible.
- d. Methodology should be precise and the framework for analysis detailed from the start.

Now, to end our endeavour in a less pessimistic tune, we would like to suggest that, since, to the best of our knowledge, this thesis represents the first attempt at providing a comprehensive view of what the Committee of Twenty-four is all about, even a general survey of the Committee's tasks and activities could not have been considered without value.

Further, we hope that having insisted on the Committee's contributions to the development of the concept of international responsibility will enable us to be more prepared for future research on a topic, that we consider of the utmost importance for international relations in the years to come.

ANNEXES

ANNEX I

The rise of the Afro-Asian nationalism and some of its manifestations: main international conferences of coloured people (1) from 1926 to 1965.

International Conference for Peace, Bierville	August 1926
Oppressed peoples Congress, Bruxelles	February 1927
First official Conference (2), after Nehru's initiative	January 1949
Baquo Conference, after the initiative of the Philippines	26-30 May 1950
Colombo Conference (3)	5 April 1954
Bandoeng Conference (4)	April 1955
Cairo Conference	5 December 1957
Accra Conferences	15 April and 15 December 1958
Djakarta Meeting	13-15 April 1964
Algeri Conference	29 June 1965

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- (1) Anticolonialism was one of the main issues at all these conferences.
- (2) The Indonesian war against the Dutch was high on the agenda.
- (3) The solution of the Indochina problem was debated.
- (4) Anticolonial policy and neutralism were endorsed.

ANNEX II

CHRONOLOGIE DE LA DÉCOLONISATION

1918	8 janvier	Les Quatorze Points du Président Wilson
1919	28 juin	Création des Mandats par le Pacte de la S.D.N.
1920	avril	Repartition des Mandats à la conférence de San Remo
1922	28 février	Indépendance de l'Égypte (déclaration anglaise)
1930		Traité anglo-français sur le mandat sur l'Irak
1936	26 août	Traité d'alliance anglo-égyptien : fin de l'occupation militaire en Égypte (sauf la zone du canal)
	9 septembre	Continuum anglo-égyptien au Soudan
	13 novembre	Traité franco-syrien
	13 novembre	Traité franco-libanais
1941	14 août	Charte de l'Atlantique
	6 mars	Accord préliminaire Leclerc-Ho Chi-minh
1942	8 novembre	Débarquement anglo-américain en Afrique du Nord
1944	6 mai 8 fév	Conférence de Brazzaville
	5 juin	Fin du mandat sur la Syrie Liban
		Charte de San Francisco
1946		Formation du royaume de Transjordanie
1947	15 août	Indépendance de l'Inde et du Pakistan
	15 décembre	Indépendance de Ceylan
1948	4 janvier	Indépendance de la Birmanie (accord anglo-birman du 17 octobre 1947)
	5 juin	Accord de la baie d'Along : indépendance du Viet nam
1949	8 mars	Accords Auroel-Bro-Du (continuent les précédents)
	19 juillet	Le Laos devient un État associé indépendant
	8 novembre	Le Cambodge devient État associé indépendant
	27 décembre	Indépendance de l'Indonésie
1951	14 décembre	Indépendance de la Libye
1952	15 septembre	L'Éthiopie cède le sud à l'Éthiopie
1953	février	Indépendance du Soudan (traité anglo-égyptien)
	22 août	Accord franco-égyptien
1954	21 juillet	Accords de Genève : fin de la guerre d'Indochine
	20 août	Indépendance du Viet nam, du Laos, du Cambodge
	20 août	Autonomie interne à la Tunisie
	1 ^{er} novembre	Insurrection algérienne
1955	avril	Conférence de Bandung
1955	14 décembre	La Transjordanie devient la Jordanie.
1956	1 ^{er} janvier	Indépendance du Soudan
	2 mars	Indépendance du Maroc
	30 mars	Indépendance de la Tunisie
		Traité franco-indien et cession des comptoirs français à l'Inde.
1957	6 mars	Indépendance du Ghana
	31 août	Indépendance de la Malaisie
1958	3 juin	Indépendance de Singapour
	2 octobre	Indépendance de la Guinée (référéndum du 28 septembre).
1960	1 ^{er} janvier	Indépendance du Cameroun

ANNEX II

27 avril :	Indépendance du Togo .
26 juin :	Indépendance de Madagascar .
30 juin :	Indépendance du Congo belge .
1 ^{er} juillet :	Indépendance de la Somalie .
12 juillet :	Indépendance du Congo (Brazzaville) , de la République Centrafricaine , du Tchad , du Gabon . (Pour ces quatre pays la proclamation de l'indépendance se place respectivement les 15, 14, 11, 17 août.)
1 ^{er} août :	Indépendance du Dahomey et du Niger .
5 août :	Indépendance de la Haute-Volta .
7 août :	Indépendance de la Côte d'Ivoire .
11 septembre :	Indépendance du Sénégal .
23 septembre :	Indépendance du Mali .
1 ^{er} octobre :	Indépendance de la Nigeria .
28 novembre :	Indépendance de la Mauritanie .
1961, 27 avril :	Indépendance de la Sierra Leone .
9 décembre :	Indépendance du Tanganyika .
1962, 1 ^{er} janvier :	Indépendance du Samoa occidental .
1 ^{er} juillet :	Indépendance du Ruanda et du Burundi .
3 juillet :	Indépendance de l' Algérie .
6 août :	Indépendance de la Jamaïque .
31 août :	Indépendance de la Trinité-Tobago .
19 octobre :	Indépendance de l' Ouganda .
1963, mars :	L'Irian (Nouvelle Guinée occidentale) est transférée à l'Indonésie par les Pays-Bas.
31 août :	Fondation de la Malaysia dans laquelle entrent les territoires de Nord Borneo , Brunei , Sarawak .
12 décembre :	Indépendance du Kenya et de Zanzibar .
1964, 1 ^{er} juillet :	Indépendance du Nyassaland (Malawi) .
23 octobre :	Indépendance de la Rhodésie du Nord (Zambie) .

Liste des membres du Commonwealth (au 1^{er} janvier 1965)

Australie	Jamaïque	Ouganda
Canada	Kenya	Pakistan
Ceylan	Malaysia	Royaume-Uni
Chypre	Malawi	Sierra Leone
Gambie	Malte	Tanzanie
Ghana	Nigeria	Trinité
Inde	Nouvelle Zélande	Zambie

ANNEX III

List of Trust Territories (1)

<u>Territory</u>	<u>Estimated Population (2) (in thousands)</u>	<u>Administering Authority</u>
Cameroons (British)	1,460	United Kingdom
Togoland (British)	429	United Kingdom
Tanganyika	8,196	United Kingdom
Cameroons (French)	3,065	France
Togoland (French)	1,070	France
Ruanda Urundi	4,262	Belgium
New Guinea	1,207	Australia
Nauru	3	Australia (3)
Western Samoa	93	New Zealand
Somaliland	1,269	Italy
Pacific Islands	61	United States

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- (1) Sady, Emil J., The United Nations and dependent peoples, The Brookings Institution, Washington, D.C., Dec. 1956.
- (2) U.N. Department of Economic and Social Affairs, Statistical Office, Demographic Yearbook, 1955.
- (3) On behalf also of the United Kingdom and New Zealand.

NON SELF-GOVERNING TERRITORIES ENUMERATED IN GENERAL ASSEMBLY RESOLUTION
66(I), ON WHICH INFORMATION HAS BEEN TRANSMITTED UNDER ARTICLE 73(e)
OF THE CHARTER*

Australia	Cyprus
Papua	Dominica ^a
Belgium	Falkland Islands
Belgian Congo	Fiji
Denmark	Gambia
Greenland ^b	Gibraltar
France	Gilbert and Ellice Islands Colony
Comoro Archipelago ^c	Gold Coast Colony and Protectorate
French Equatorial Africa	Grenada ^a
French Establishments in India ^b	Hong Kong
French Establishments in Oceania ^b	Jamaica
French Guiana ^b	Kenya Colony and Protectorate
French Somaliland	Leeward Islands
French West Africa	Federation of Malaya
Guadeloupe and Dependencies ^b	Malta ^b
Indo China ^b	Mauritius
Madagascar and Dependencies	Nigeria
Martinique ^b	North Borneo
Morocco ^b	Northern Rhodesia
New Caledonia and Dependencies ^b	Nyasaland Protectorate
Reunion ^b	Pitcairn Island
St. Pierre and Miquelon ^b	St. Helena and Dependencies
Tunisia ^b	St. Lucia ^a
Netherlands	St. Vincent ^a
Curaçao (Netherlands West Indies) ^b	Sarawak
Netherlands Indies ^d	Seychelles
Surinam ^b	Sierra Leone Colony and Protectorate
New Zealand	Singapore
Cook Islands	Swaziland
Niue Island ^e	Trinidad and Tobago
Tokelau Islands	Uganda Protectorate
United Kingdom	Zanzibar Protectorate
Aden Colony and Protectorate	United States
Bahamas	Alaska
Barbados	American Samoa
Basutoland	Guam
Bechuanaland Protectorate	Hawaii
Bermuda	Panama Canal Zone ^f
British Guiana	Puerto Rico ^b
British Honduras	Virgin Islands
British Solomon Island Protectorate	Condominium of France and United Kingdom
British Somaliland Protectorate	New Hebrides
Brunei	

* U.N. Department of Public Information, Research Section, *Non-Self-Governing Territories: Background Paper No. 73*, Doc. ST/DPI/SER A/73 (Jan. 6, 1953), pp. 5-8.

^b Information has ceased to be transmitted on this territory.

^c The separate treatment of the Comoro Archipelago and Niue Island, formerly covered in the information transmitted on Madagascar and Dependencies and on the Cook Islands, respectively, added two to the list of Non Self-Governing Territories.

^d The Republic of Indonesia having become an independent state in 1950, the Netherlands continued to transmit information only on Western New Guinea.

^e Dominica, Grenada, St. Lucia, and St. Vincent, which together form the Windward Islands, have been treated since 1948 as one non self-governing territory.

^f The United States transmitted information initially on the Panama Canal Zone, but after protest by the Republic of Panama, regarded the transmission as in error and did not transmit information on the Zone thereafter.

Table 1

List of Territories with which the
Special Committee of 24 is Concerned

TERRITORY	Area (square miles)	Population (midyear 1963 or 1964 estimates in thousands)*
(a) Trust Territories		
AUSTRALIA		
1. New Guinea	93,000	1,539
2. Nauru	8	5
UNITED STATES		
3. The Trust Territory of the Pacific Islands ^b	700	90
(b) The Territory of South West Africa		
SOUTH AFRICA		
4. South West Africa	317,863	554*
(c) Territories which have been declared by the General Assembly to be Non-Self- Governing Territories within the meaning of Chapter XI of the Charter of the United Nations, but on which information is not transmitted by the administering Powers concerned		
PORTUGAL^c		
5. Angola, including the enclave of Cabinda	481,352	5,084
6. Namibie	297,654	6,872
7. Guinea, called Portuguese Guinea	13,947	525
8. The Cape Verde Archipelago	1,557	218*
9. Sao Tome and Principe and their dependencies	372	56*
10. Macao and dependencies	6	72
11. Timor and dependencies	7,332	543
UNITED KINGDOM^d		
12. Southern Rhodesia	150,333	4,140
(d) Non-Self-Governing Territories on which information is transmitted by the admin- istering Powers concerned		
AUSTRALIA		
13. Cocos (Keeling) Islands	5	1
14. Papua	90,540	562
FRANCE AND UNITED KINGDOM		
15. New Hebrides*	5,700	66
NEW ZEALAND		
16. Niue Island	100	5
17. Tokelau Islands	4	2
SPAIN		
18. Fernando Póo	785	70

TERRITORY	Area (square miles)	Population (midyear 1963 or 1964 estimates in thousands)*
19. Rio Muni	10,045	193
20. Ifni	579	50*
21. Spanish Sahara	102,703	25
UNITED KINGDOM		
22. Aden	111,075	225**
23. Antigua	171	61*
24. Bahamas	4,400	131*
25. Barbados	166	242
26. Basutoland	11,716	729
27. Bechuanaland	222,000	548
28. Bermuda	20	48
29. British Honduras	8,866	103
30. British Virgin Islands	59	8*
31. Brunei	2,226	93*
32. Cayman Islands	100	9*
33. Dominica	305	63*
34. Falkland Islands	4,618	2
35. Fiji	7,055	449
36. Gibraltar	2	24*
37. Gilbert and Ellice Islands	349	50
38. Grenada	133	92*
39. Hong Kong	398	3,692
40. Mauritius	809	722
41. Montserrat	32	13*
42. Pitcairn Island	2	0.08*
43. St. Helena	162	5*
44. St. Kitts-Nevis-Anguilla	153	61*
45. St. Lucia	238	94*
46. St. Vincent	150	84*
47. Seychelles	156	45*
48. Solomon Islands	11,500	133
49. Swaziland	6,704	285
50. Turks and Caicos Islands	166	6*
UNITED STATES		
51. American Samoa	76	22
52. Guam	212	69
53. United States Virgin Islands	133	41
(e) Other Territories		
54. French Somaliland ^h	8,900	80
55. Oman	114,000 ⁱ	676* ^j

*Indicates 1963 midyear population estimates.

a Nauru is administered by Australia on behalf of Australia, New Zealand, and the United Kingdom.

b The Trust Territory of the Pacific Islands is designated as a strategic area under Article 82 of the Charter.

c General Assembly Res. 1542 (XV), 15 Dec. 1960.

d General Assembly Res. 1747 (XVI), 28 June 1962.

e Administered jointly by France and the United Kingdom as a condominium.

f 1962 midyear estimates from GAOR: 18th Sess., 1963, Annexes; Addendum to Agenda item 23, Annex I, p. 138.

g United Nations Doc. A/6000/Add. 7, 26 Oct. 1965, p. 93.

h General Assembly Res. 2105 (XX), 20 Dec. 1965. See also United Nations Doc. A/6000, 17 Nov. 1965, pp. 21-22.

i General Assembly Res. 2073 (XX), 17 Dec. 1965.

j These estimates include Muscat, Oman, and the Trucial Sheikdoms.

SOURCE: Adapted from GAOR: 18th Sess., 1963, Annexes; Addendum to Agenda item 23, Annex I, pp. 288-289. Except where otherwise indicated, population estimates are from *Demographic Yearbook, 1964*, United Nations Publication Sales No. 65.XIII.1, pp. 120-128.

ANNEX VI

A. Special Committee's Members

1962

Australia, Cambodia, Ethiopia, India, Italy, Madagascar, Mali, Poland, Syria, Tanganyika, Tunisia, U.S.S.R., U.K., U.S.A., Uruguay, Venezuela, Yugoslavia.

Bulgaria, Chile, Denmark, Iran, Iraq, Ivory Coast, Sierra Leone.

1967

Afghanistan, Australia, Bulgaria, Chile, Ethiopia, Finland, Honduras, India, Iran, Iraq, Italy, Ivory Coast, Madagascar, Mali, Poland, Sierra Leone, Syria, Tunisia, U.S.S.R., U.K., United Republic of Tanzania, U.S.A., Venezuela, Yugoslavia.

B. Membership of the Working Group and
of the Sub-Committee of the
Special Committee in 1968

Working Group

Four members of the Bureau of the Special Committee: Tunisia (Chairman), Iraq (Vice-Chairman), Venezuela (Vice-Chairman), India (Rapporteur - until May)/Afghanistan (Rapporteur - from June) and: Bulgaria, Ethiopia, India (from June) a/, Iran, Italy, United Republic of Tanzania.

Sub-Committee on Petitions

Chile (Vice-Chairman - until October), Ecuador (from October), India, Italy, Madagascar (Chairman), Mali, Poland, Syria.

Sub-Committee 1

Chile (until October), Mali, Sierra Leone (Chairman), Syria (Rapporteur), Tunisia, Union of Soviet Socialist Republics, United Republic of Tanzania, Yugoslavia.

a/ At its 608th meeting, on 10 June 1968, the Special Committee, following the election of the new Rapporteur (Afghanistan), decided that India should serve as a member of the Working Group for the duration of the current year.

ANNEX VII

The Situation in Angola

Location and
Historical
Background.

Angola, a Portuguese overseas province, is located in the Southern part of Africa, between latitudes $4^{\circ} 22'$ and $18^{\circ} 2'$ S., and longitudes $11^{\circ} 41'$ and $24^{\circ} 5'$ E. The area of the province is 473,746 sq. miles with a frontier length of 4,030.8 miles. The population amounts to over five million people of fifteen different ethnic groups. The main tribes are the Kimbundu (40% of the population), the Mukongo to the North (15%), the Cuanhiamas and Ganguelas to the South.

Though the Portuguese reached Angola as early as 1482, actual administrative control over the territory became a reality only at the beginning of this century. Before, contact with the interior was mainly the work of traders and missionaries. The situation in the Territory was never excellent and the interest of the Portuguese government for it does not seem to have been high. Slavery was practiced through the nineteenth century. The principle of remuneration for labour was first imposed by Francisco Inocencio de Sousa Continho, governor general from 1764 to 1772. The colonial Act of 1930, revised in 1951, increased the interest

of the mother-country in her overseas possessions and started a more planned approach to their progress. The new colonial act of 1963 stressed decentralization and even asked for more participation of the overseas provinces in the formulation and execution of a truly national policy.

Government and Administration.

Angola is an autonomous province of the Portuguese State. (1) Its legislative organs are the central ones, represented by the National Assembly, the Government, the Minister of the Overseas Provinces, as well as the local organs, namely, the Governor-General, the Legislative Council, the Economic and Social Council.

The executive organs of the province are: the Governor-General, six provincial Secretaries, twelve provincial Departments. The Governor-General has almost absolute power.

For administrative and judicial purposes, the province counts fifteen administrative regions, divided into districts and parishes, and thirteen judicial circuits.

Economic and Social Conditions.

The main products and resources of Angola are coffee, diamonds, sisal, fish meal, iron ore, and crude

(1) Portugal Overseas Provinces, Agencia-Geral do Ultramar, Lisboa, 1965, pp. 77-78.

petroleum. In 1963 coffee, diamonds and sisal accounted for 69% of all Angolan exports, representing 41%, 16% and 12% respectively. But, since 1961, more consideration has been given to industrial development. (2) Only from January to July 1967 the Government authorized the establishment or extension of 114 new industries, ranging from fish-meal plants, fuels, cement to beer, wood pulp, sugar refinery. Foreign investments also are growing in importance: both under the Transitional Development Plan of 1965-67 and the Third Development Plan for 1968-73 they amount to 40% of total investment and expenditures. (3) Such investments are also a sign of regaining confidence of international financial interests in Angola. (4) One of the main project to be financed by foreign capital is the dam on the Cunene River. The balance of trade for 1966 was given at 6,400 million escudos exports and 6,002 million escudos imports. Agricultural products accounted for 62.9% of the export, mineral and mining for 20.0%. Gross national product in Angola has been rising, over the period 1961-63, at a rate of about 4-5% per annum.

In recent years more attention has been paid to education. Enrolment has greatly increased in the decade 1955/56 to 1965/66: from 68,759 to 225,145 in primary schools; from 3,729 to 14,577 in secondary academic schools; from 2,164 to 13,220 in secondary technical schools. (5)

(2) A/AC. 109/L. 192, p.17

(3) Ibidem, p. 18

(4) A/AC. 109/L. 451/Add. 1, p. 10

(5) Ibidem, p. 44

In 1967 the province had nine official academic secondary schools and 46 private. In the same year, ten more school posts, nine new elementary technical schools and three health technical schools were added to the already existing ones. But the lack of teacher and training facilities for teachers continues to be critical, both at the elementary and secondary level. A university, Estudos Gerais Universitarios, was first established in 1963. University students in 1966/67 totalled 597. At the beginning of the school year 1967/68, there were 767 university students. Allocation for education in 1967 amounted to 7.5% of total ordinary budget.

An expenditure of 1, 391 million escudos, for educational purposes in Angola, is envisaged under the Third National Development Plan, 1968/1973.

Working conditions and wages are also steadily improving. In 1967, the rural Labour Code for the Overseas Territories was revised. The average annual rate of increase in wages for 1956 to 1965 was 5.8% in 1966 it stood at 3.4% over the previous year. Annual per capita income may vary between 60 and 300 dollar a year. In 1967, the Governor-General fixed the minimum wage for workers over 18 years of age in the Luanda region at 25 escudos a day, that is at almost one dollar a day.

To overcome the shortage of technical workers, plans for training them in the Territory and the creation of accelerated technical training centres have been studied by the Education Department of the Overseas Ministry.

Political forces and
the Causes of the
rebellion.

Anticolonial organizations existed in Angola as early as 1929, such as the Liga Nacional Africana de Luanda. It was, any way, after the Second World War that the anti-colonial movement gained momentum and several organizations spread throughout the territory. It will be enough the mention the "Union des Populations du Nord de l'Angola", created in Leopoldville in 1954; the "Mouvement Populaire de Liberation de l'Angola", born at Luanda in 1956; the "Front National de Liberation de l'Angola".

In Angola exists also what could be described as the embryo of many political parties. L'Union des Peuples de L'Angola, under the leadership of Holden Roberto; Nto Bako, whose main exponent is Alberto Angelino,; le Mouvement pour la Liberation de l'Angola, headed by Mario de Andrade; le Mouvement pour la Defence des Interets Angolais, directed by Jean-Pierre M. Bala, are, for the time being, the only meaningful political organizations.

Even if these internal organized forces, the examples of other African territories attaining independence, the pressure from international bodies may have played a part

in the events that afflicted Angola from 1961 on, the causes of the rebellion go deeper than that. They range from the dissatisfaction of the civil servants to the uneasiness of the new immigrants to adapt to the social environment; from the difficulties of the economic situation to the conditions of many workers still under the system of a forced labour contract; from the low standard of living to the limitations of political rights and freedom.

ANNEX VIII

Situation in Equatorial Guinea.

Location Equatorial Guinea, located in the Western part of
and
Population Africa, is made up of two main territories: the
island of Fernando Poo with an area of 2,034 Square K. and the
enclave of Rio Muni, between Cameroun and Gabon, with an
area of 26,000 Sq. K. The population in 1966 was estimated
at 260,000 persons. Two groups chiefly constitute the
indigenous population: the Bubis in Fernando Poo and the
Fangs in Rio Muni. Europeans amount to 8,000, mostly
Spanish. In 1966 approximately 32,000 Nigerians workers
were living in the territory.

Colonization's
History

The Spanish colonization of Equatorial Guinea
started in 1778 after the Pardo treaty with Portugal. The
territory was under colonial rule until 1959, when it
became a province of the Spanish state. The first elections
were held in 1960.

Political Developments
and Administrative
Structure.

Following the referendum of December 1963, the
island of Fernando Poo and the mainland territory of Rio
Muni were accorded a regime of autonomy, which came into
effect on 16 July 1964. Under this new regime, that lasted

until 1968, the year of independence, the Spanish Government was represented by a Commissioner-General, who held full power in external affairs as well as advisory and supervisory functions on the executive and legislative organs of the territory, that is, the Governing Council and the General Assembly.

The members of the Governing Council, nine in number, a president and eight councillors, four from Fernando Poo and four from Rio Muni, served for a four year term. They took over almost all the power previously exercised by the Governor General in internal matters. The Council's functions included

"submitting bills to the General Assembly, drawing up a draft budget ... and implementing the decisions of the General Assembly within the sphere of its competence." (1)

Among the other functions of the Council were the presentation of a list of three candidates for president of the Governing Council as well as for civil Governors in each province.

The General Assembly, which consisted of the Provincial Councils of Fernando Poo and Rio Muni meeting in joint session, numbered eighteen members. It held at least two sessions a year alternately at Santa Isabel and Baba. Its functions ranged from proposing new legislation and modifying existing ones, by a two-third majority, to approving the ordinary budget of Equatorial Guinea.

(1) A/AC. 109/L. 348, p. 9, para. 36.

The General Assembly also had the power to elect the eight members of the Governing Council and to propose their dismissal as well as that of the president of the Council. But final decision in the matter rested with the Spanish Government. At any rate, the administration in 1964 was already run almost entirely by the indigenous population. (2)

Economic Situation

The economic situation in Equatorial Guinea does not appear to be one of the worst in Africa: exports in 1960 amounted to 160 million dollars, imports to 75 million, with a surplus of 85 million dollars. In 1960, annual per capita income was 200 dollars in Fernando Poo_ and 50 dollars in Rio Muni. According to Government sources, it jumped to \$246 and \$91 in 1963, and to \$332 and \$133 in 1966, in the two territories, respectively. Agriculture and forestry are the base of the country's economy. The main products are cacao (3) in Fernando Poo, coffee (4) and timber (5) in Rio Muni. Local industries, mainly located in Fernando Poo, are mostly concerned with food and agricultural products processing or seafood canning.

The Economic and Social Development Plan for 1964-67 with expenditures estimated at 2,579 million pesetas (\$42,833,333) envisaged an annual cumulative growth rate in Gross Regional Product of 7.56%.

(2) Ibidem, p. 33, para. 70

(3) The average output is approximately 30,000 tons a year

(4) The average annual output reaches 6,000 tons.

(5) In 1964 there were thirty-eight companies engaged in timber production with concessions amounting to about 170,000 hectares.

Among the main objectives of the plan were the training of indigenous technical and administrative personnel; the modernization and diversification of agriculture; the development of processing industries; the expansion of port and harbour facilities; research into the feasibility of refining oil from neighbouring zones of Santa Isabel and San Carlos; development of tourism, the rapid expansion of transport and communications. (6)

Financial expenditures under the 1964 budget reached \$U.S. 20,810,040.

Social Conditions

Social and Educations conditions are also improving. In 1966 there were hospital (7) with a total of 1,500 beds plus a leper hospital with 200 beds at Micomeseng in Rio Muni. Doctors are on the ratio of one to every 3,500 persons.

The majority of the indigenous population cultivate farms of about ten acres each, while the European style farms rely principally on Nigerian labourers. (8)

Indigenous farmers are organized to some extent in cooperatives which in 1964 amounted to thirty in Fernando Poo and to thirty-four in Rio Muni. The average wage for plantation workers in 1963 was estimated at 670 pesetas a month. (9)

(6) A/AC./L. 348, pp. 20-21.

(7) Santa Isabel, Bata, San Carlos, Puerto Iradier Rio Benito, Concepcion Envigayong.

(8) In 1964, of the farm workers, 28,000 out of 37,400 were Nigerians; 5,600 indigenous Guineans; 3,000 Europeans; 400 came from other parts of Africa.

(9) A little over \$11 a month.

Educational System.

The educational system in Equatorial Guinea consists basically of three stages: compulsory elementary school period of five years, followed by a two-year course of primary schools, then secondary education leading to university studies or vocational training. At the end of 1965 there were 135 elementary public schools and thirty primary schools, with an enrolment of 21,091. In the same year, 1,701 elementary education certificates and 1,105 primary education certificates were awarded. Private schools are not included in the above figures. In 1960, the total school population, from both public and private schools, amounted to 40,000. Elementary and primary school teachers get their education at St. Thomas Aquinas Provincial School for Assistant Teachers and at the Teacher Training College in Santa Isabel and Bata. "La Salle" Professional Centre, founded in Bata in 1959, prepares students in the vocational or technical field. In addition one can mention a school of Agricultural Training, a School of Sanitary Training, and the School of Arts and Crafts.

Scholarships for higher education, to be obtained chiefly in Spain, have been granted every year up to a value of 3.5 million pesetas. In 1962, 113 Guinean students under scholarships and one hundred without scholarships were attending courses at universities and colleges in Spain.

ANNEX IX

A. Sample of Voting Pattern at the
U.N. on Colonial Issues.

<u>Resolution</u>	<u>Topic</u>	<u>In Favour</u>	<u>Against</u>	<u>Abstentions</u>
G.A. Res. 1514	Declaration	89	0	9 (1)
G.A. Res. 1810	Implementation of Declaration	101	0	4 (2)
G.A. Res. 2105	Implementation of Declaration	74	6 (3)	27 (4)
G.A. Res. 2189	Implementation of Declaration	76	7	20
G.A. Res. 2288	Foreign Economic Interests	91	2	17
G.A. Res. 2326	Granting of Independence	86	6	17
G.A. Res. 2349	Training Programs	113	2	1
G.A. Res. 2425	Foreign Economic Interests	87	2	19
G.A. Res. 2426	Appeal to Specialized Agencies	82	7	25
G.A. Res. 2465	Granting of Independence	87	7	17

(1) Portugal, Spain, Union of South Africa, U.K., U.S., Australia, Belgium, Dominican Republic, France.

(2) South Africa, Spain, U.K., France.

(3) Australia, New Zealand, Portugal, South Africa, U.K., U.S.

(4) Austria, Belgium, Brazil, Canada, China, Costa Rica, Denmark, Dominican Republic, El Salvador, Finland, France, Guatemala, Honduras, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, Nicaragua, Norway, Panama, Paraguay, Philippines, Spain, Sweden, Trinidad and Tobago.

Almost the same pattern is present for all other major resolutions, which imply operative paragraphs on specific issues, except for training programs for refugees, as it may be seen in resolution 2349.

B. Sample of Voting Pattern at the U.N. on Portuguese Territories

<u>Resolution</u>	<u>In Favour</u>	<u>Against</u>	<u>Abstentions</u>
General Assembly Res. 1542	91	2	11
General Assembly Res. 2184	70	13 (1)	22 (2)
General Assembly Res. 2270	82	7	21
General Assembly Res. 2395	85	3	15
Security Council Res. 180	8	0	3
Security Council Res. 218	7	0	4 (3)
Sub-Committee's report on foreign economic activities of 28 October 1965	14	3 (4)	4 (5)
Fourth Committee recommends sanctions, 30 October 1968.	89	9 (6)	15 (7)

C. Sample of Voting Pattern at the U.N. on Equatorial Guinea

<u>Resolution</u>	<u>In Favour</u>	<u>Against</u>	<u>Abstentions</u>
G.A. Res. 2067	103	0	2
G.A. Res. 2355	109	0	7 (8)

-
- (1) Australia, Austria, Belgium, Brazil, Canada, Luxembourg, Netherlands, New Zealand, Portugal, South Africa, Spain, U.K., U.S.
 - (2) Among the abstaining powers were the remaining West European states and the majority of the South American Republics. The same is true for G.A. resolutions 2270 and 2395.
 - (3) France, Netherlands, United Kingdom, United States.
 - (4) Australia, United Kingdom, United States.
 - (5) Chile, Denmark, Italy, Venezuela.
 - (6) Australia, Belgium, Luxembourg, Netherlands, New Zealand, Portugal, South Africa, United Kingdom, United States.
 - (7) Austria, Brazil, Canada, Cuba, Denmark, Finland, France, Iceland, Ireland, Italy, Japan, Malawi, Norway, Spain, Sweden.
 - (8) France, Mexico, Portugal, South Africa, Spain, U.K., U.S.

ANNEX X

Text
of some U.N. resolutions
on
decolonization:

G.A. Res.	1514
G.A. Res.	1541
G.A. Res.	1542
G.A. Res.	1913
G.A. Res.	2105
G.A. Res.	2184
G.A. Res.	2288
G.A. Res.	2349
G.A. Res.	2355
G.A. Res.	2426

should be admitted to membership in the United Nations.⁸¹

*Having considered the application for membership of the Republic of Mali,*⁸²

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,*⁸³

*Having considered the application for membership of the Federation of Nigeria,*⁸⁴

Decides to admit the Federation of Nigeria to membership in the United Nations.

*893rd plenary meeting,
7 October 1960.*

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.*

1503 (XV). Report of the International Atomic Energy Agency

The General Assembly

Takes note of the report of the International Atomic

⁸¹ *Ibid.*, document A/4514.

⁸² *Ibid.*, document A/4512.

⁸³ *Ibid.*, document A/4533.

⁸⁴ *Ibid.*, document A/4527.

⁸⁵ *Annual report of the Board of Governors to the General Conference, 1 July 1959-30 June 1960, Vienna, July 1960 (A/4531 and Corr.1 and Add.1).*

Energy Agency to the General Assembly for the year 1959-1960.⁸⁵

*943rd plenary meeting,
12 December 1960.*

1513 (XV). Report of the Security Council

The General Assembly

*Takes note of the report of the Security Council to the General Assembly covering the period from 16 July 1959 to 15 July 1960.*⁸⁶

*943rd plenary meeting,
12 December 1960.*

1514 (XV). Declaration on the granting of independence to colonial countries and peoples

The General Assembly,

Mindful of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Conscious of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognising the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence,

Aware of the increasing conflicts resulting from the denial of or impediments in the way of the freedom of such peoples, which constitute a serious threat to world peace,

Considering the important role of the United Nations in assisting the movement for independence in Trust and Non-Self-Governing Territories,

Recognising that the peoples of the world ardently desire the end of colonialism in all its manifestations,

Convinced that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

Affirming that peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law,

Believing that the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to colonialism and all practices of segregation and discrimination associated therewith,

Welcoming the emergence in recent years of a large number of dependent territories into freedom and independence, and recognizing the increasingly powerful trends towards freedom in such territories which have not yet attained independence,

⁸⁶ *Official Records of the General Assembly, Fifteenth Session, Supplement No. 2 (A/4494).*

Convinced that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory,

Solemnly proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations;

And to this end

Declares that:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, 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.

6. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

7. All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity.

*947th plenary meeting,
14 December 1960.*

1592 (XV). The situation in the Republic of the Congo

The General Assembly,

Having considered the item entitled "The situation in the Republic of the Congo",

Noting that the previous resolutions of the Security Council and the General Assembly on this subject are still in effect,

Decides to keep this item on the agenda of its resumed fifteenth session.

*958th plenary meeting,
20 December 1960.*

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Note

Appointment of the Peace Observation Commission (item 18)

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.

1. *Takes note* of the report of the Secretary-General on offers of study and training facilities under General Assembly resolutions 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.

541 (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,¹² 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 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 1, 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 due 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

¹² Ibid., agenda item 38, document A/4526.

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



UNITED NATIONS
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Distr.
LIMITED

A/RES/1913 (XVIII)
5 December 1963

Eighteenth session
Agenda item 23

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[On the report of the Fourth Committee (A/5629)]

1913 (XVIII). Territories under Portuguese administration

The General Assembly,

Having considered the question of Territories under Portuguese administration,

Having considered the report on this question submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,^{1/}

Having heard the petitioner,

Recalling the Declaration on the granting of independence to colonial countries and peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling its resolutions 1542 (XV) of 15 December 1960, 1603 (XV) of 20 April 1961, 1699 (XVI) of 19 December 1961, 1742 (XVI) of 30 January 1962, 1807 (XVII) of 14 December 1962 and 1819 (XVII) of 18 December 1962, and the Security Council resolutions of 9 June 1961^{2/} and 31 July 1963,^{3/}

^{1/} A/5446/Add.1 and Corr.1 and 2.

^{2/} Official Records of the Security Council, Sixteenth Year, Supplement for April, May and June 1961, document S/4835.

^{3/} Ibid., Eighteenth Year, Supplement for July, August and September 1963, document S/5380.

Recalling in particular that the Security Council, by its resolution of 31 July 1963, urgently called upon Portugal to implement the following:

- (a) The immediate recognition of the right of the peoples of the Territories under its administration to self-determination and independence,
- (b) The immediate cessation of all acts of repression and the withdrawal of all military and other forces at present employed for that purpose,
- (c) The promulgation of an unconditional political amnesty and the establishment of conditions that will allow the free functioning of political parties,
- (d) Negotiations, on the basis of the recognition of the right to self-determination, with the authorized representatives of the political parties within and outside the Territories with a view to the transfer of power to political institutions freely elected and representatives of the peoples, in accordance with resolution 1514 (XV),
- (e) The granting of independence immediately thereafter to all the Territories under its administration in accordance with the aspirations of the peoples,

Noting with deep regret and great concern the continued refusal of the Government of Portugal to take any steps to implement the resolutions of the General Assembly and of the Security Council,

Convinced that the implementation of the aforementioned resolutions will provide the only means of obtaining a peaceful solution of the question of Territories under Portuguese administration,

1. Requests the Security Council to consider immediately the question of "Territories under Portuguese administration" and to adopt necessary measures to give effect to its own decisions, particularly those contained in the resolution of 31 July 1963;

2. Decides to maintain the question of "Territories under Portuguese administration" on the agenda of its eighteenth session.

1270th plenary meeting,
3 December 1963.



UNITED NATIONS
GENERAL
ASSEMBLY



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LIMITED

A/RES/2105 (XX)
20 January 1966

Twentieth session
Agenda item 23

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

/without reference to a Committee (A/L.476/Rev.1 and Rev.1/Corr.1 and Rev.1/Add.1)7

2105 (XX). Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, and its resolutions 1654 (XVI) of 27 November 1961, 1810 (XVII) of 17 December 1962 and 1956 (XVIII) of 11 December 1963,

Recalling also its resolutions 1805 (XVII) of 14 December 1962 and 1899 (XVIII) of 13 November 1963 by which it assigned to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples tasks relating to South West Africa, and its resolution 1970 (XVIII) of 16 December 1963 by which it entrusted to the Special Committee additional functions relating to information transmitted under Article 73 e of the Charter of the United Nations,

Having considered the reports prepared by the Special Committee for the years 1964^{1/} and 1965,^{2/}

Noting with deep regret that five years after the adoption of the Declaration many Territories are still under colonial domination,

Deploing the negative attitude of certain colonial Powers, and in particular the unacceptable attitude of the Governments of Portugal and South Africa, which refuse to recognize the right of colonial peoples to independence,

1/ A/5800 and Corr.1, Add.1 and Add.1 (part II), and Add.2-7.

2/ A/6000 and Add.1-7 and Add.3/Corr.1

Concerned about the policy of colonial Powers to circumvent the rights of colonial peoples through the promotion of the systematic influx of foreign immigrants and the dislocation, deportation and transfer of the indigenous inhabitants,

Noting the action taken and envisaged by the Special Committee regarding the list of Territories to which the Declaration is applicable,

Deploring further the attitude of certain States which, despite the resolutions of the General Assembly and of the Special Committee, continue to co-operate with the Governments of Portugal and South Africa and even to provide them with aid which is being used by the two Governments to intensify the repression of the oppressed African populations,

Fully aware that the continuation of colonial rule and the practice of apartheid as well as all forms of racial discrimination threaten international peace and security and constitute a crime against humanity,

Having adopted resolutions on specific Territories considered by the Special Committee,

1. Reaffirms its resolutions 1514 (XV), 1654 (XVI), 1810 (XVII) and 1956 (XVIII);
2. Notes with appreciation the work accomplished by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and congratulates it on the efforts it has made to implement the Declaration;
3. Approves the reports of the Special Committee and again invites the administering Powers to implement the recommendations contained therein;
4. Deeply regrets the refusal of certain colonial Powers to co-operate with the Special Committee and their continued disregard of the resolutions of the General Assembly;
5. Calls upon the colonial Powers to discontinue their policy of violating the rights of colonial peoples through the systematic influx of foreign immigrants and the dislocation, deportation and transfer of the indigenous inhabitants;
6. Requests the Special Committee to continue to perform its task and to continue to seek the best means for the immediate and full application of resolution 1514 (XV) to all Territories which have not yet attained independence;

/...

7. Approves the programme of work envisaged by the Special Committee during 1966, including the possibility of holding a series of meetings in Africa and the sending of visiting groups to Territories, particularly in the Atlantic, Indian and Pacific Ocean areas;

8. Requests the Special Committee to pay particular attention to the small Territories and to recommend to the General Assembly the most appropriate ways, as well as the steps to be taken, to enable the populations of the small Territories to exercise fully their right to self-determination and independence;

9. Requests the Special Committee, whenever it considers it appropriate, to recommend a deadline for the accession to independence of each Territory in accordance with the wishes of the people;

10. Recognizes the legitimacy of the struggle by the peoples under colonial rule to exercise their right to self-determination and independence and invites all States to provide material and moral assistance to the national liberation movements in colonial Territories;

11. Requests all States and international institutions, including the United Nations specialized agencies, to withhold assistance of any kind to the Governments of Portugal and South Africa until they renounce their policy of colonial domination and racial discrimination;

12. Requests the colonial Powers to dismantle the military bases installed in colonial Territories and to refrain from establishing new ones;

13. Requests the Special Committee to apprise the Security Council of developments in any Territory examined by it which may threaten international peace and security and to make suggestions which might assist the Council in considering appropriate measures under the Charter of the United Nations;

14. Requests the Secretary-General to take all necessary measures to promote the large-scale dissemination of the Declaration and of the work of the Special Committee, in order that world opinion may be sufficiently informed of the serious threat to peace posed by colonialism and apartheid, and calls upon all administering Powers to co-operate with the Secretary-General in his efforts;

15. Requests the Secretary-General to continue to provide the Special Committee with all the facilities and personnel necessary for the implementation of its mandate.



UNITED NATIONS
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A/RES/2184 (XXI)
14 December 1966

Twenty-first session
Agenda item 67

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fourth Committee (A/6554)]

2184 (XXI). Question of Territories under Portuguese administration

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Territories under Portuguese administration,^{1/}

Having heard the statements of the petitioners,

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also Security Council resolutions 163 (1961) of 9 June 1961, 180 (1963) of 31 July 1963, 183 (1963) of 11 December 1963 and 218 (1965) of 23 November 1965,

Recalling further General Assembly resolutions 1807 (XVII) of 14 December 1962, 1819 (XVII) of 18 December 1962, 1913 (XVIII) of 3 December 1963 and 2107 (XX) of 21 December 1965, as well as the relevant resolution of the Special Committee adopted on 22 June 1966,^{2/}

Deeply concerned at the critical and explosive situation which is threatening peace and security owing to the intensification of the measures of repression and military operation against the people of the Territories under Portuguese administration,

^{1/} A/6300/Add.3 (part I) and Corr.1, and A/6300/Add.3 (part II).

^{2/} See A/6300/Add.3 (part I) and Corr.1, para. 675.

Noting with deep concern that the activities of the foreign financial interests in these Territories which impede the African people in the realization of their aspirations to freedom and independence continue undiminished,

Further noting with deep concern that Portugal continues to use the aid and weapons that it receives from its military allies against the population of these Territories,

1. Reaffirms the inalienable right of the peoples of the Territories under Portuguese domination to freedom and independence, in accordance with General Assembly resolution 1514 (XV), and recognizes the legitimacy of their struggle to achieve this right;

2. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Territories under Portuguese administration and endorses the conclusions and recommendations contained therein;

3. Condemns, as a crime against humanity, the policy of the Government of Portugal, which violates the economic and political rights of the indigencus population by the settlement of foreign immigrants in the Territories and by the exporting of African workers to South Africa;

4. Further condemns the activities of the financial interests operating in the Territories under Portuguese domination which exploit the human and material resources and impede the progress towards freedom and independence of the peoples of the Territories;

5. Calls upon Portugal to apply immediately the principle of self-determination to the peoples of the Territories under its administration, in accordance with General Assembly resolution 1514 (XV) and Security Council resolutions 183 (1963) and 218 (1965);

6. Appeals to all States to give the peoples of the Territories under Portuguese domination the moral and material support necessary for the restoration of their inalienable rights and to prevent their nationals from co-operating with the Portuguese authorities, especially in regard to investment in the Territories;

7. Recommends to the Security Council that it make it obligatory for all States, directly and through their action in the appropriate international

agencies of which they are members, to implement the measures contained in General Assembly resolution 2107 (XX), and in particular those mentioned in paragraph 7 thereof;

8. Requests all States, and in particular the military allies of Portugal within the framework of the North Atlantic Treaty Organization, to take the following steps:

(a) To desist forthwith from giving the Portuguese Government any assistance which enables it to continue its repression of the African peoples in the Territories under its domination;

(b) To take all necessary measures to prevent the sale or supply of arms and military equipment to the Government of Portugal;

(c) To stop the sale or shipment to the Government of Portugal of equipment and materials for the manufacture or maintenance of arms and ammunition;

(d) To take the necessary measures to put an end to such activities as are referred to in paragraph 4 above;

9. Appeals once again to all the specialized agencies, in particular to the International Bank for Reconstruction and Development and the International Monetary Fund, to refrain from granting Portugal any financial, economic or technical assistance as long as the Government of Portugal fails to implement General Assembly resolution 1514 (XV);

10. Requests the Secretary-General to enter into consultation with the International Bank for Reconstruction and Development in order to secure its compliance with General Assembly resolutions 2105 (XX) of 20 December 1965 and 2107 (XX) of 21 December 1965 and with the present resolution;

11. Expresses its appreciation to the United Nations High Commissioner for Refugees, the specialized agencies concerned and other international relief organizations for the aid they have extended so far, and requests them, in co-operation with the Organization of African Unity, to increase their assistance to the refugees from the Territories under Portuguese domination and to the people who have suffered and are still suffering owing to military operations;

12. Decides to include the question of the Territories under Portuguese administration in the provisional agenda of its twenty-second session.



UNITED NATIONS

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LIMITED

A/RES/2288 (XXII)
11 December 1967

Twenty-second session
Agenda item 24

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[On the report of the Fourth Committee (A/6939)]

2288 (XXII). Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia, South West Africa and Territories under Portuguese domination and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia, South West Africa and Territories under Portuguese domination and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa",

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples concerning the activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia, South West Africa and Territories under Portuguese domination and in all other Territories under colonial domination,^{1/}

^{1/} A/6862 and Add.1.

Having heard the statement of the petitioner,^{2/}

Recalling its resolution 1514 (XV) of 14 December 1960, and in particular the eighth preambular paragraph thereof,

Recalling further its resolutions 2105 (XX) of 20 December 1965 and 2189 (XXI) of 13 December 1966, and other relevant resolutions,

Considering that the colonial Powers have the obligation to ensure the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the population and the natural resources of these Territories against abuses, in conformity with Chapters XI and XII of the Charter of the United Nations,

Convinced that any economic or other activity which impedes the implementation of resolution 1514 (XV) is incompatible with the purposes and principles of the Charter of the United Nations,

1. Approves in general the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples concerning the activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Southern Rhodesia, South West Africa and Territories under Portuguese domination and in all other Territories under colonial domination;

2. Reaffirms the inalienable right of the peoples of the colonial Territories to self-determination and independence and to the natural resources of their Territories, as well as their right to dispose of these resources in their best interests;

3. Declares that the colonial Powers which deprive the colonial peoples of the exercise and the full enjoyment of those rights, or which subordinate them to the economic or financial interests of their own nationals or of nationals of other countries, are violating the obligations they have assumed under Chapter XI and XII of the Charter of the United Nations and are impeding the full and prompt implementation of General Assembly resolution 1514 (XV);

4. Strongly condemns the exploitation of the colonial Territories and peoples and the methods practised in the Territories under colonial domination by the foreign financial, economic and other interests which are designed to perpetuate the colonial régimes contrary to the principles embodied in resolution 1514 (XV);

5. Deplores the policies of the colonial Powers which permit the exploitation of the natural resources of the Territories under their administration contrary to the interests of the indigenous population and which promote or tolerate unjust and discriminatory work systems and other practices;

6. Calls upon all States concerned to fulfil their fundamental obligation to ensure that the concessions granted, the investments authorized and the enterprises permitted to their nationals to operate in the Territories under colonial domination do not run counter to the present or future interests of the indigenous inhabitants of those Territories;

7. Further calls upon the colonial Powers to prohibit the following practices which run counter to the principles of the Charter of the United Nations, violate the economic and social rights of the peoples of the Territories under colonial domination and impede the rapid implementation of resolution 1514 (XV):

(a) The exploitation of human and natural resources contrary to the interests of the indigenous inhabitants;

(b) The obstruction of the access of the indigenous inhabitants to their natural resources;

(c) The promotion and tolerance of injustice and discrimination in the remuneration of labour and in the establishment of working conditions;

8. Calls upon the colonial Powers to review, in accordance with the provisions of the present resolution, all the privileges and concessions which are against the interests of the indigenous inhabitants;

9. Requests the United Nations Council for South West Africa to take urgent and effective measures to put an end to laws and practices established in the Territory by the Government of South Africa contrary to the purposes and principles of the Charter of the United Nations;

10. Requests the colonial Powers to stop immediately the practice of alienation of lands from the indigenous inhabitants and to take immediate action to return to them all such alienated lands;

/...



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
LIMITED

A/RES/2349 (XXII)
16 January 1968

Twenty-second session
Agenda items 65, 67 and 68

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[On the report of the Fourth Committee (A/7010)]

2349 (XXII). Question of the consolidation and integration of the special educational and training programmes for South West Africa, the special training programme for Territories under Portuguese administration and the educational and training programme for South Africans

The General Assembly,

Recalling its resolution 2235 (XXI) of 20 December 1966 concerning the question of the consolidation and integration of the special educational and training programmes for South West Africa, the special training programme for Territories under Portuguese administration and the educational and training programme for South Africans,

Taking note with appreciation of the report submitted by the Secretary-General in accordance with paragraph 1 of the said resolution,^{1/}

Considering that a consolidation and integration of the programmes is desirable as a basis for the further development and expansion of assistance for education and training,

Taking note of the recommendations of the Conference on African Refugee Problems, held at Addis Ababa in October 1967, and in particular its recommendation for the establishment within the Organization of African Unity of a bureau for the placement and education of refugees,

1. Decides to integrate the special educational and training programmes for South West Africa, the special training programme for Territories under Portuguese administration and the educational and training programme for South Africans;

A/6890 and Corr.1 and 3.

2. Decides further to include in the programme assistance to persons from Southern Rhodesia, provided that this is done only in so far as it does not interfere with existing United Nations schemes for educational assistance for such persons and that it is done with due regard to Security Council resolutions 216 (1965) of 12 November 1965 and 217 (1965) of 20 November 1965 relating to non-recognition of the illegal régime in Southern Rhodesia;

3. Requests the Secretary-General to continue to study the means to promote the further development and expansion of the programme and, to this end, to continue his consultations with the United Nations High Commissioner for Refugees, the Director-General of the United Nations Educational, Scientific and Cultural Organization, the heads of other appropriate agencies and organs, and the Administrative Secretary-General of the Organization of African Unity;

4. Decides that in the implementation of the present resolution the United Nations shall co-operate closely with the bureau for the placement and education of refugees that is being set up within the Organization of African Unity;

5. Requests the Secretary-General to include in the programme the granting of subventions to educational and training institutions in Africa in order to enable such institutions to provide places for persons who come under the programme and to make it possible for those persons to be trained in Africa as far as practicable;

6. Requests the President of the General Assembly to nominate seven Member States, each of which should appoint a representative to serve on a committee which will advise the Secretary-General on the granting of such subventions;

7. Decides that the integrated programme shall be financed from a trust fund made up of voluntary contributions and that, at least initially, those contributions shall be used entirely for the operational costs of the programme;

8. Authorizes the Secretary-General to appeal to States Members of the United Nations and members of the specialized agencies for funds to achieve a target of \$US3 million for the three-year period from 1968 to 1970;

9. Decides that, as a transitional measure, provision shall be made under section 12 of the regular budget for the year 1968 to ensure the continuity of the programme pending the receipt of adequate voluntary contributions;

10. Requests the Secretary-General to report to the General Assembly at its twenty-third session on the progress of the programme.



UNITED NATIONS
GENERAL
ASSEMBLY



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LIMITED

A/RES/2355 (XXII)
9 January 1968

Twenty-second session
Agenda item 23

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[On the report of the Fourth Committee (A/7013)]

2355 (XXII). Question of Equatorial Guinea

The General Assembly,

Having considered the question of Equatorial Guinea,

Having heard the statements of the petitioners,

Having also heard the statement of the representative of the administering Power,

Having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Equatorial Guinea,^{1/}

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling further the provisions of its resolutions 2067 (XX) of 16 December 1965 and 2230 (XXI) of 20 December 1966,

Having noted the constitutional conference which opened in Madrid on 30 October 1967,

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Equatorial Guinea;

2. Reaffirms the inalienable right of the people of Equatorial Guinea to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV);

^{1/} A/6700/Add.6.

3. Regrets that the administering Power has not yet set a date for the accession of Equatorial Guinea to independence in accordance with the wishes of the people of the Territory;

4. Reiterates its request to the administering Power to ensure that the Territory accedes to independence as a single political and territorial entity not later than July 1968;

5. Invites the administering Power to implement as soon as possible the following measures:

(a) To ensure full respect for all democratic freedoms;

(b) To institute an electoral system based on universal adult suffrage and to hold, before independence, a general election for the whole Territory on the basis of a unified electoral roll;

(c) To transfer effective power to the government resulting from this election;

6. Urges the administering Power to reconvene the constitutional conference referred to above in order to work out the modalities of the transfer of power, including the drawing up of an electoral law and of an independence constitution;

7. Requests the Secretary-General to take appropriate action, in consultation with the administering Power and the Special Committee, to ensure the presence of the United Nations in the Territory for the supervision of the preparation for, and the holding of, the election envisaged in paragraph 5 (b) above and to participate in all other measures leading towards the independence of the Territory;

8. Further requests the Secretary-General to transmit the present resolution to the administering Power and to report to the Special Committee on its implementation;

9. Decides to maintain the question of Equatorial Guinea on its agenda.

1641st plenary meeting,
19 December 1967.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/RES/2426 (XXIII)
8 January 1969

Twenty-third session
Agenda item 69

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[On the report of the Fourth Committee (A/7424)]

2426 (XXIII). Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Recalling its resolution 2311 (XXII) of 14 December 1967 and other relevant General Assembly resolutions,

Taking into account the relevant reports submitted by the Secretary-General,^{1/} the Economic and Social Council^{2/} and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples^{3/} concerning the implementation of the Declaration by the specialized agencies and international institutions associated with the United Nations,

^{1/} A/7301.

^{2/} Official Records of the General Assembly, Twenty-third Session, Supplement No. 3 (A/7203), chapter XVI, section C; A/7203/Add.1 (part IV).

^{3/} A/7200 (part II) and Corr.1.

Bearing in mind that the national liberation movements in several colonial Territories, and particularly in Africa, require the urgent assistance of the specialized agencies, particularly in the field of education, health and nutrition, in their struggle to attain freedom and independence,

Noting with regret that some of the specialized agencies and international institutions associated with the United Nations, and in particular the International Bank for Reconstruction and Development and the International Monetary Fund, have not so far implemented General Assembly resolution 2311 (XXII) and other relevant resolutions,

Considering that, by virtue of the Charter of the United Nations, in particular Chapters IX and X, the United Nations shall make recommendations for the co-ordination of the policies and activities of the specialized agencies,

1. Reiterates its appeal to the specialized agencies, the International Atomic Energy Agency and the international institutions associated with the United Nations to extend their full co-operation to the United Nations in the achievement of the objectives and provisions of General Assembly resolution 1514 (XV) and other relevant resolutions;

2. Expresses its appreciation to the Office of the United Nations High Commissioner for Refugees and to those specialized agencies and the international institutions which have co-operated with the United Nations in the implementation of the relevant General Assembly resolutions;

3. Recommends that the specialized agencies and international institutions concerned should assist the peoples struggling for their liberation from colonial rule and, in particular, should work out, within the scope of their respective activities and in co-operation with the Organization of African Unity and, through it, with the national liberation movements, concrete programmes for assisting the oppressed peoples of Southern Rhodesia, Namibia and the Territories under Portuguese domination;

4. Appeals once again to all the specialized agencies and international institutions, and in particular the International Bank for Reconstruction and Development and the International Monetary Fund, to take all necessary steps to withhold from the Governments of Portugal and South Africa financial, economic, technical and other assistance until they renounce their policies of racial

5. Recommends that the International Bank for Reconstruction and Development should withdraw the loans and credits it has granted to the Governments of Portugal and South Africa, which are being used by those Governments to suppress the national liberation movement in the Portuguese colonies and in Namibia, and against the African population of South Africa;

6. Requests all States, through action in the specialized agencies and international institutions of which they are members, to facilitate the full and speedy implementation of the relevant General Assembly resolutions;

7. Requests the Economic and Social Council to consider, in consultation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, appropriate measures for the co-ordination of the policies and activities of the specialized agencies in implementing the relevant General Assembly resolutions;

8. Invites the Secretary-General:

(a) To continue to assist the specialized agencies and international institutions concerned in working out appropriate measures for implementing the relevant General Assembly resolutions and to report thereon to the Assembly at its twenty-fourth session;

(b) To obtain and transmit to the Special Committee for its consideration concrete suggestions from the specialized agencies and international institutions concerned regarding the best ways and means of achieving the full and speedy implementation of the relevant resolutions,

9. Requests the Special Committee to continue to examine the question and to report to the General Assembly at its twenty-fourth session.

1747th plenary meeting,
15 December 1966.

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