

### 565 (VI). Work of the Special Committee on information transmitted under Article 73 e of the Charter<sup>20</sup>

*The General Assembly*

1. *Takes note* of the report of the Special Committee on Information transmitted under Article 73 e of the Charter covering its 1951 sessions;<sup>21</sup>

2. *Approves* the arrangements proposed by the Special Committee for its work in 1952.<sup>22</sup>

*361st plenary meeting,  
18 January 1952.*

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*In accordance with the terms of resolution 332 (IV) of the General Assembly, the Fourth Committee, at its 227th meeting on 14 December 1951, elected, on behalf of the General Assembly, two members to the Special Committee to fill the vacancies created by the expiration of the terms of office of Mexico and the Philippines.*

*The States elected were:* ECUADOR and INDONESIA.

### 566 (VI). Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories<sup>23</sup>

*The General Assembly,*

*Considering* that point 9 of the Secretary-General's "Memorandum of points for consideration in the development of a twenty-year programme for achieving peace through the United Nations"<sup>24</sup> advocates the use of the United Nations to promote by peaceful means the progress of dependent, colonial or semi-colonial peoples to a position of equality with Member States of the United Nations,

*Considering* that resolution 494 (V) adopted by the General Assembly on 20 November 1950 requests the appropriate organs of the United Nations to consider those portions of the Secretary-General's memorandum with which they are particularly concerned,

*Considering* that the report of the Special Committee on Information transmitted under Article 73 e of the Charter<sup>25</sup> recommends the use of technical assistance from the United Nations as a means of promoting the economic advancement of the peoples of the Non-Self-Governing Territories,

*Considering* that the direct association of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies is an effective

<sup>20</sup> The General Assembly decided, by resolution 569 (VI) p. 63, that the Special Committee on Information transmitted under Article 73 e of the Charter should henceforth be known as the "Committee on Information from Non-Self-Governing Territories".

<sup>21</sup> See *Official Records of the General Assembly, Sixth Session, Supplement No. 14.*

<sup>22</sup> *Ibid.*, pp. 8-9.

<sup>23</sup> The General Assembly decided, by resolution 569 (VI), p. 63, that the Special Committee on Information transmitted under Article 73 e of the Charter should henceforth be known as the "Committee on Information from Non-Self-Governing Territories".

<sup>24</sup> See *Official Records of the General Assembly, Fifth Session, Annexes, agenda item 60.*

<sup>25</sup> *Ibid.*, Sixth Session, Supplement No. 14, part one, chapter IX.

means of promoting the progress of the peoples of those Territories towards a position of equality with Member States of the United Nations,

1. *Notes* that special provisions exist in the constitutions of some of the specialized agencies and of the regional commissions of the United Nations permitting, on the proposal of the Administering Member concerned, the admission to those agencies and commissions of Non-Self-Governing Territories as "associate members";

2. *Commends* the practice referred to in the preceding paragraph;

3. *Invites* the Committee on Information from Non-Self-Governing Territories to examine the possibility of associating the Non-Self-Governing Territories more closely in its work and to report the results of its examination of this problem to the General Assembly at its seventh regular session in connexion with the Assembly's consideration of the Committee's future.

*361st plenary meeting,  
18 January 1952.*

### 567 (VI). Future procedure for the continuation of the study of factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government

*The General Assembly,*

*Recalling* that, in resolution 334 (IV) adopted on 2 December 1949, the General Assembly invited any special committee which might be appointed on information transmitted under Article 73 e of the Charter to examine the factors which should be taken into account in deciding whether any territory is or is not a territory whose people have not yet attained a full measure of self-government,

*Having examined* the report on the matter prepared by the Special Committee on Information transmitted under Article 73 e of the Charter,<sup>26</sup>

*Having undertaken* a revision of the above-mentioned factors,

*Considering* that the production of a more definitive list of factors involves protracted and complex studies on the basis of more complete information than was available in 1951,

1. *Decides* to take as a basis the list of factors drawn up at the sixth session of the General Assembly, which list is annexed to the present resolution;

2. *Invites* the Members of the United Nations to transmit in writing to the Secretary-General, by 1 May 1952, a statement of the views of their governments on the factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government;

3. *Appoints an Ad Hoc Committee* of ten members comprising Australia, Belgium, Burma, Cuba, Denmark, France, Guatemala, Iraq, the United States of America and Venezuela, in order to carry out a further study of the factors which should be taken into account

<sup>26</sup> *Ibid.*, Supplement No. 14, part four.

in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government;

4. *Invites* the *Ad Hoc* Committee to take into account all information available, including that transmitted to the Secretary-General on the reasons which have led certain Administering Members to cease to transmit information on certain of these territories, and to submit a report to the General Assembly at its seventh regular session;

5. *Invites* the Secretary-General to convene the *Ad Hoc* Committee in order that it may begin its work one week before the opening of the 1952 session of the Committee on Information from Non-Self-Governing Territories.<sup>27</sup>

361st plenary meeting,  
18 January 1952.

#### ANNEX

### **Factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government**

#### INTRODUCTION

1. The territories which are covered by Chapter XI of the Charter are those territories whose people have not yet attained a full measure of self-government. It may be noted that the expression "self-government" is qualified in the Charter by the words "full measure" in the English text, "*complète-ment*" in the French text, and "*plenitud*" in the Spanish text.

2. The task of the General Assembly, at present, is to indicate the factors which should be taken into account in determining whether the result of the advancement of the people of any given territory is such that that territory has reached a stage of self-government where it falls outside the scope of Article 73 e of the Charter.

3. The condition under which the provisions of Chapter XI of the Charter cease to apply will be that the inhabitants of the territory have attained, through political advancement, a full measure of self-government. The fulfilment of this condition may be achieved by various means, involving in all cases the expression of the free will of the people. The two principal means are (a) the attainment of independence and (b) the union of the territory on a footing of equal status with other component parts of the metropolitan or other country or its association on the same conditions with the metropolitan or other country or countries. The extent to which the provisions of Article 73 e continue to apply in the case of territories which have become neither independent nor fully integrated within another State but which have already attained a full measure of self-government in their internal affairs is a question which merits further study.

4. The two principal forms of political advancement, mentioned in the above paragraph, call for the consideration of different factors in determining whether a territory has or has not reached a stage of self-government where it falls outside the scope of Article 73 e of the Charter.

5. Accordingly, the General Assembly lists under two separate headings below the factors to be taken into account, stressing that the list cannot be regarded as exhaustive or definitive, and that a single factor or particular combination of factors cannot be regarded as decisive in every case. Whether the peoples of a territory should be regarded as having reached a

stage of self-government where there is no longer any obligation to transmit information should be solved in the light of the conditions enumerated under either of the two headings, taking into account the circumstances of each particular case, which will need to be studied separately.

6. Nevertheless, the General Assembly considers that the essential factors to be taken into account in deciding whether a Non-Self-Governing Territory has attained a full measure of self-government are the following:

- (i) *Political advancement*: Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge;
- (ii) *Opinion of the population*: The opinion of the population of the Territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

7. These factors apply both to Non-Self-Governing Territories which have achieved independence and to Non-Self-Governing Territories which have freely united or associated themselves on a footing of equal status with other component parts of the metropolitan or other country or countries. In the latter case, however, the following factors are also essential and should be taken into account:

- (i) *Legislative representation*: Representation without discrimination in the central legislative organs on the same basis as other inhabitants and regions;
- (ii) *Citizenship*: Citizenship without discrimination on the same basis as other inhabitants.

#### I. FACTORS INDICATIVE OF THE ATTAINMENT OF INDEPENDENCE OR OTHER SEPARATE SYSTEM OF SELF-GOVERNMENT

##### A. GENERAL

1. *Political advancement*: Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge.

2. *Opinion of the population*: The opinion of the population of the territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

##### B. INTERNATIONAL STATUS

1. *Independence*: The attainment of independence by the territory, or complete control over its external relations and internal affairs.

2. *Eligibility for membership in international organizations*: Eligibility for membership in the United Nations or for membership or associate membership in other international organizations; representation by delegates selected by the territorial government.

3. *General international relations*: Power to enter into direct relations of every kind with other governments and with international institutions, and to negotiate, sign and ratify international conventions.

4. *Voluntary limitation of sovereignty*: Degree to which the sovereignty of the territory is limited by its own free will when that territory has attained independence or other separate system of self-government.

##### C. INTERNAL SELF-GOVERNMENT

1. *Territorial government*: Freedom from control or interference by the government of another State in respect of the internal government (legislature, executive, judiciary) and administration of the territory.

2. *Participation of the population*: Effective participation of the population in the government of the territory by means of an adequate electoral and representative system.

3. *Economic and social jurisdiction*: Complete autonomy in respect of economic and social affairs.

<sup>27</sup> The General Assembly decided, by resolution 569 (VI), that the Special Committee on Information transmitted under Article 73 e of the Charter should henceforth be known as the "Committee on Information from Non-Self-Governing Territories".

## II. FACTORS INDICATIVE OF THE FREE ASSOCIATION (WHETHER IN A FEDERAL OR UNITARY RELATIONSHIP) OF A TERRITORY ON EQUAL STATUS WITH OTHER COMPONENT PARTS OF THE METROPOLITAN OR OTHER COUNTRY

### A. GENERAL

1. *Political advancement*: Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge.

2. *Opinion of the population*: The opinion of the population of the territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

3. *Geographical considerations*: Extent to which the relations of the territory with the capital of the central government may be affected by circumstances arising out of their respective geographical positions, such as separation by land, sea or other natural obstacles.

4. *Ethnic and cultural considerations*: Extent to which the population are of different race, language or religion or have a distinct cultural heritage, interests or aspirations, distinguishing them from the peoples of the country with which they freely associate themselves.

5. *Constitutional considerations*: Association (a) by virtue of the constitution of the metropolitan country or (b) by virtue of a treaty or bilateral agreement affecting the status of the territory, taking into account (i) whether the constitutional guarantees extend equally to the associated territory, (ii) whether there are constitutional fields reserved to the territory, and (iii) whether there is provision for the participation of the territory on a basis of equality in any changes in the constitutional system of the State.

### B. STATUS

1. *Legislative representation*: Representation without discrimination in the central legislative organs on the same basis as other inhabitants and regions.

2. *Citizenship*: Citizenship without discrimination on the same basis as other inhabitants.

3. *Government officials*: Appointment or election of officials from the territory on the same basis as those from other parts of the country.

### C. INTERNAL CONSTITUTIONAL CONDITIONS

1. *Suffrage*: Universal and equal suffrage, free periodic elections by secret ballot, freedom of choice of electoral candidates.

2. *Local rights and status*: Equal rights and status for the inhabitants and local bodies of the territory as enjoyed by inhabitants and local bodies of other parts of the country.

3. *Local officials*: Appointment or election of officials in the territory on the same basis as those in other parts of the country.

4. *Internal legislation*: Complete legislative autonomy of the territory, by means of electoral and representative systems, in all matters which in accordance with the normal terms of association are, in the case of non-unitary systems, not reserved to the central government.

## 568 (VI). Cessation of the transmission of information under Article 73 e of the Charter in respect of the Netherlands Antilles and Surinam

*The General Assembly,*

*Having regard* to its resolution 222 (III) of 3 November 1948 requesting the Members concerned to communicate information regarding any change in the

constitutional position and status of a Non-Self-Governing Territory, as a result of which the responsible government concerned thinks it unnecessary to transmit information in respect of that Territory under Article 73 e of the Charter,

*Considering* that it has received from the Secretary-General<sup>28</sup> a copy of the communication dated 31 August 1951 from the Netherlands Government, which states that, in the opinion of that Government, the Netherlands Antilles and Surinam have now ceased to be Non-Self-Governing Territories within the meaning of Article 73 e of the Charter of the United Nations, and that consequently the Netherlands Government has decided to terminate the transmission to the Secretary-General of information under Article 73 e concerning these Territories,

*Having regard* to resolution 448 (V) of 12 December 1950, by which the General Assembly requested the Special Committee on Information transmitted under Article 73 e of the Charter to examine such information as may be transmitted and to report thereon to the General Assembly,

*Having regard* to the information made available by the Government of the Netherlands relating to the Netherlands Antilles and Surinam and to the report of the Special Committee,

*Having decided*<sup>29</sup> to appoint an *Ad Hoc* Committee to carry out a further study of the factors which should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government,

*Having been informed* that a conference among representatives of the Netherlands, the Netherlands Antilles and Surinam on an equal footing is to be held in March 1952 to decide upon a system of co-operation for the common affairs of the three countries and the establishment of a new constitutional order to replace the present interim arrangement,<sup>30</sup>

1. *Reaffirms* the statement contained in paragraph 1 of General Assembly resolution 222 (III) welcoming any development of self-government that may have taken place in Territories previously enumerated as Non-Self-Governing;

2. *Expresses its appreciation* to the Government of the Netherlands for communicating full information in compliance with paragraph 3 of General Assembly resolution 222 (III), and decides to transmit this information to the *Ad Hoc* Committee created by resolution 567 (VI) of the General Assembly;

3. *Considers* that in 1952 the General Assembly should examine the communication of the Netherlands Government in the light of any report prepared by the *Ad Hoc* Committee, and taking into account whatever new arrangements as to common affairs may be developed by the 1952 conference of representatives of the Netherlands and of the Netherlands Antilles and Surinam;

4. *Decides* to include in the agenda of the next regular session of the General Assembly the question

<sup>28</sup> See document A/C.4/200.

<sup>29</sup> See resolution 567 (VI), p. 60.

<sup>30</sup> See *Official Records of the General Assembly, Sixth Session, Supplement No. 14, p. 7.*