

External Affairs
Supplementary Paper

NO. 53/43 QUESTION OF PETITIONS FOR ORAL HEARINGS
FROM TRUST TERRITORIES

(Agenda item 13, Report of the Trusteeship Council).

Statement made by the Canadian Representative on the Fourth Committee of the eighth session of the United Nations General Assembly, Dr. G.S. Patterson.

Before the closure of the debate yesterday, I had indicated the intention of my delegation to participate. Since it was not possible to do so then, because of the closure of the debate, I should like now to indicate the reasons for Canada's votes on the various requests for oral hearings.

The Canadian Delegation has constantly affirmed that inhabitants of trust territories with the right of petition should have the opportunity for oral hearings. It cannot, of course, be assumed that all requests for hearings will be found equally worthy of attention. In the face of the urgent demands of other problems on the limited time available to the Fourth Committee it therefore becomes incumbent upon the Committee to decide as to which of the petitioners should be actually heard by the Committee itself. It is not to be assumed that all requests should be automatically granted.

Last year, when the Fourth Committee was considering petitions for oral hearings, there was a serious attempt on the part of a number of delegations to formulate certain rules which would simplify and expedite the annual task of the Fourth Committee in this field. In the discussion which followed, the Canadian representative outlined in considerable detail the criteria by which the Canadian Delegation wished to be guided in coming to a decision as to which petitioners should be heard. In the course of the debate yesterday many delegations, including particularly the United States and New Zealand Delegations, once again usefully outlined most of these criteria. In these circumstances, my delegation does not think it necessary to repeat now these various considerations. May it suffice to restate our belief that the Fourth Committee of the Assembly cannot be expected to function expeditiously and effectively if favourable consideration is given indiscriminately to every request for oral hearings.

Among the criteria to which my delegation gives consideration there is one, also mentioned yesterday by several delegations, which has a very practical bearing on the problem and to which we attach considerable importance. In the interest of orderly procedure, we still believe that normally petitioners should appear first before the Trusteeship Council or before its Committee on Petitions. If petitioners are dissatisfied with the outcome of the hearing in the Council, they might then apply to the Fourth Committee. If this procedure were followed the Fourth Committee would be in a position always to take the Council's views into account before deciding on whether or not to grant a hearing.

Now, as a number of representatives pointed out yesterday, the question of the Cameroons is to be a specific item on the agenda of the next session of the Trusteeship Council. Furthermore, as suggested by the French Delegation, there were, in the four petitions from the Cameroons which were dealt with yesterday, a number of obvious features which would have made their prior examination by the Trusteeship Council a very desirable step. It was these considerations that led the Canadian Delegation to vote against the granting of all four petitions from the Cameroons.

Apart from the bearing of the above considerations on the votes of my delegation, yesterday, I should like, in conclusion, to make one further observation.

Canada's votes, as I have suggested, were determined by reference to our own set of criteria. In the same way no doubt every other delegation was guided by adherence to its own criteria. Perhaps we would agree that these principles by which we are guided are more worthy of consideration certainly in the long run - than the votes we cast on specific issues. Thus it may have become more clear to others, as it did to my delegation, that we do stand in need of a commonly accepted set of criteria to which from time to time the Committee as a whole may appeal in coming to a decision on specific requests. It was a matter of regret to the Canadian Delegation that the initiative of the distinguished delegate of the Dominican Republic in attempting last year to establish such a set of criteria did not have more tangible results. The United Kingdom proposal now offers the Committee a new opportunity to make progress in the right direction. It is the hope of my delegation that this time the Committee will not fail to use this opportunity to good purpose.

Note: The following resolution was introduced by the United Kingdom as a proposed means of saving the Committee's time and developing a system of handling oral petitions in a more orderly and efficient manner. This proposal was warmly welcomed by the Canadian Delegation as was a similar proposal put forward by the Dominican Republic at the 7th session of the General Assembly.

Draft Resolution Proposed by United Kingdom

The Fourth Committee.

Decides to establish a sub-committee consisting of eight members, of whom four shall be members of the Trusteeship Council, two administering and two non-administering, to make recommendations regarding the procedure to be followed by the Fourth Committee in considering applications for hearings from petitioners in respect of the affairs of trust territories, including the considerations to be taken into account by the Fourth Committee in reaching decisions on individual cases.

Text ends.

Despite the willingness of the United Kingdom to modify its proposal to meet some of the objections raised this resolution was defeated by a narrow vote of 22 in favour (including Canada), 23 against, and 12 abstentions. Most of the negative votes were cast on the grounds that the proposal constituted an attempt to curtail the rights of petitioners for oral hearings. As the situation remains, the

Fourth Committee will continue to be the body before which oral petitioners from Trust Territories will appear in person. Permission was granted by the Fourth Committee at the 8th session of the Assembly for a number of petitioners to appear before it.



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