

San Juan, Puerto Rico—Friday December 11, 1959

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CUBA CONSIDERS RE-OPENING PUERTO RICO'S CASE IN UN.

Would Use Hearings in P.R. as Basis.

It is said, according to information received by El Mundo yesterday, that Cuba is studying the possibility of reopening the case of Puerto Rico in the United Nations.

This version of the story went so far as indicating that Governor Luis Muñoz-Marín had also received reports to that effect.

On being questioned, however, Mr. Muñoz-Marín stated:

"The report that this news has reached La Fortaleza is completely unfounded."

The purpose of Cuba's move, according to the version of the story that reached El Mundo, is to show before the United Nations that Puerto Rico continues to be a dependent territory. The Cubans would argue, if they decided to make this submittance, that this is proved by the testimony given before the Sub-Committee on Interior and Insular Affairs now holding a series of public hearings in San Germán.

The version we received points out that Cuba would try to prove to the UN that "the United States deceived the United Nations" when it presented and gained approval for the resolution whereby the United States ceased to send annual reports on Puerto Rico to the General Assembly, because Puerto Rico has presumably ceased to be a dependent territory.

The basis for this allegation was the approval of the Constitution of Puerto Rico and the creation of the Commonwealth.

The United States resolution, defended by the head of the U.S. Delegation, Ambassador Henry Cabot Lodge, was approved after long debating. At first, it was opposed by the delegates of Peru and Cuba. Later on, both delegations received new instructions from their respective governments, and doctors Víctor Belaúnde and Emilio Núñez Portuondo (Peru and Cuba), spoke in favor of the American resolution.

Another delegate who spoke for the resolution was doctor José Vicente Trujillo of Ecuador.

The information received yesterday in San Juan pointed to the great concern of the highest ranking representatives of the



Commonwealth Government, because, according to reports, it was feared that the United States might take a step—to counteract the Cuban submittance—whose outcome would be either statehood or independence for Puerto Rico.

Either of these alternatives, it was pointed out, would involve a defeat for Governor Muñoz-Marín and his government party.

The declaration of the United Nations General Assembly on giving reports on Puerto Rico by the United States was a cause for debate in the Assembly.

This concerns one of the most important chapters of the Charter of the United Nations, number XI, which, in Article 73 imposes on the member states the duty of promoting the well-being of the inhabitants of territories under their administration. Included among these territories was Puerto Rico, as a dependent territory of the United States.

Among the responsibilities of the member states is that of ensuring "with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses."

And furthermore "to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement."

Other clauses in the same chapter provide that the member states are also in duty bound as regards their territories "to further international peace and security" and to "promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article".



As regards information, this Chapter also provides in section (e) that the member states shall "transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply." (These two chapters refer to the Trusteeship Council and do not in any way relate to Puerto Rico).

The first step taken by <sup>the</sup> General Assembly regarding non-self-governing territories was resolution 222, approved November 3, 1948, where it is stated that the Assembly welcomes any development of self-government in non-self-governing territories. The UN also expressed that it "considers it essential that the United Nations be informed of any change in the constitutional status of any such Territory as a result of which the government responsible for the transmission, under Article 73 e of the Charter, of information in respect of that Territory thinks it unnecessary or inappropriate to continue such a practice."

The resolution in which the UN declares that the provisions concerning non-self-governing territories no longer apply to Puerto Rico came into being <sup>in</sup> the General Assembly on November 3, 1953, a few months after this organ was notified of the approval of the Constitution of Puerto Rico and the creation of the Commonwealth. The United States informed the UN that, by virtue of these changes it would cease to send information relating to Puerto Rico as a non-dependent (sic) territory.

Before approving this resolution the UN debated at length on the subject, introduced by the United States Delegate, Henry Cabot Lodge, who defended his country's request, which was opposed by the Independentist Party. The Trusteeship Council recognized the condition of self-government and the General Assembly approved the final draft of the resolution, which includes the following provisions: "the General Assembly "recognizes that the people of the Commonwealth of Puerto Rico, by expressing their will in a free and democratic way, have achieved a new constitutional



status; that the association of the Commonwealth of Puerto Rico with the United States of America has been established as a mutually agreed association; that, when choosing their constitutional and international status, the people of the Commonwealth of Puerto Rico have effectively exercised their right to self-determination; that, in the framework of their Constitution and of the compact agreed upon with the United States of America, the people of the Commonwealth of Puerto Rico have been invested with attributes of political sovereignty which clearly identify the status of self-government attained by the Puerto Rican people as that of an autonomous political entity; that, due to these circumstances, the Declaration regarding Non-Self-Governing Territories and the provisions established under it in Chapter XI of the Charter can no longer be applied to the Commonwealth of Puerto Rico" and "considers it appropriate that the transmission of this information should cease".

Finally, in this resolution the UN "expresses its assurance that, in accordance with the spirit of the present resolution, the ideals embodied in the Charter of the United Nations, the traditions of the people of the United States of America and the political advancement attained by the people of Puerto Rico, due regard will be paid to the will of both the Puerto Rican and American peoples in the conduct of their relations under their present legal statute, and also in the eventuality that either of the parties to the mutually agreed association may desire any change in the terms of this association."