



TRUSTEESHIP COUNCIL

Eighteenth Session

OFFICIAL RECORDS

Tuesday, 14 August 1956,
at 2.35 p.m.

NEW YORK

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President: Mr. Rafik ASHA (Syria).

Present:

The representatives of the following States members of the Trusteeship Council: Australia, Belgium, Burma, China, France, Guatemala, Haiti, India, Italy, New Zealand, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies International Labour Organisation; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

The future of Togoland under French administration (T/L.733) (*continued*):

- (i) Memorandum by the Administering Authority (T/1274/Rev.1);
- (ii) Petitions (T/PET.7/467, T/PET.7/468, T/PET.7/470, T/PET.7/473, T/PET.7/475, T/PET.7/476, T/PET.7/480, T/PET.7/494, T/PET.7/496, T/PET.7/500, T/PET.7/L.14)

[Agenda item 12 (b)]

1. Mr. ROLZ BENNETT (Guatemala) observed the draft resolution submitted jointly by Burma, Guatemala, India and Syria (T/L.733) contained a simple procedural proposal. Its sponsors had felt that paragraphs 33 and 34 of the draft report on the future of Togoland under French administration prepared by the Secretariat (T/L.719/Add.1) gave too summary an account of the debate in the Council. They were therefore asking the Council to transmit the Administering Authority's memorandum (T/1274/Rev.1) to the General Assembly and to draw its attention to the

records of the discussion of that question by the Council at its seventeenth and eighteenth sessions.

2. Mr. BARGUES (France) recalled that in its memorandum the Administering Authority had asked the Council to appoint observers to follow the operation of the referendum which was to take place in Togoland during the latter half of October. Since the Council had decided, at its previous meeting, not to respond to that request, the memorandum now had no purpose. He did not see any point in asking the General Assembly to consider, in November, a request that observers should be sent to follow a referendum which would have taken place the month before. The French delegation would therefore vote against the draft resolution.

3. Mr. MUFTI (Syria) thought that it was open to the Council to transmit to the General Assembly all the documents it had had before it particularly if they had formed the subject of a debate which had lasted for some days. The Syrian delegation would therefore vote in favour of the joint draft resolution.

The draft resolution was adopted by 7 votes to 5, with 2 abstentions.

4. Mr. JAIPAL (India) said that his delegation had voted for the draft resolution because, like others in the Council, it felt that the whole question of the future of Togoland under French administration should be referred to the General Assembly. The Council had rejected the French proposal that observers should be sent to Togoland, but the Administering Authority's memorandum dealt with two other important points as well: the introduction of reforms and the organization of a popular consultation on the Territory's future. As those matters had now been referred to the General Assembly, any action the Administering Authority might take in regard to them would necessarily be unilateral.

5. His delegation considered the resolution just adopted as a recommendation within the meaning of rule 104 of the Council's rules of procedure.

6. Mr. CUTTS (Australia) said that he had voted against the draft resolution mainly because he felt that it was superfluous. The information contained in the Council's draft report to the General Assembly on its consideration of the Administering Authority's memorandum and the draft resolution which the French delegation had submitted (T/L.731) in pursuance of that memorandum should be sufficient for the Assembly's purposes. The resolution just adopted, on the other hand, said nothing about the nature of the debate which had taken place in the Council and passed over in silence the Council's rejection of the French Government's proposal that observers should be sent to follow the operation of the referendum. It would therefore give an entirely false impression of the proceedings in the Council.

7. With regard to the statement made by the representative of India to the effect that any action taken by the Administering Authority in that connexion would be unilateral, he wished to make it clear that, in his

delegation's view, the Administering Authority was in no way bound by the memorandum which it had submitted to the Council and which had been rejected.

8. Mr. SEARS (United States of America) said that he had abstained in the vote just taken for two reasons. In the first place, the adoption of the joint draft resolution would not prevent the Council considering, at the special session which would probably be held in the autumn, whether it would be in the interests of the Togolese people to take any further measures regarding the Territory's development. In the second place, it might also be that when the heat of the debate on that subject had subsided, the Council would decide that the mere transmission of the French memorandum to the General Assembly did not in fact constitute full compliance with General Assembly resolution 944 (X) calling upon the Council to make a special study of the situation in Togoland.

9. Mr. GRILLO (Italy) recalled that during the discussion on Nauru not one of the three draft resolutions which had been put forward had been adopted, and members of the Council had wondered whether they should not be referred to the General Assembly by means of a special resolution. The representative of India had at that time maintained (741st meeting) that the Council ought to report to the General Assembly, not only on the resolutions and recommendations it had adopted but also on all its activities, so that the Assembly would have before it all the documents on the subject of Nauru.

10. He considered that the situation was similar with regard to Togoland under French administration and he saw no need to adopt a special resolution to draw the General Assembly's attention to the debate which had taken place in the Council on the subject of the French Government's memorandum.

11. Mr. BARGUES (France) reminded the Council that the referendum would take place in Togoland during the second half of October.

The Togoland unification problem and the future of the Trust Territory of Togoland under British administration (T/L.719 and Add.1) (concluded):

(a) **The future of Togoland under British administration: report of the United Nations Plebiscite Commissioner;**

(b) **The future of Togoland under French administration**

[Agenda item 12]

12. The PRESIDENT drew the Council's attention to the draft special report to the General Assembly prepared by the Secretariat (T/L.719 and Add.1).

13. He pointed out that a new paragraph, paragraph 35, would be added to the text to report the discussion which had just taken place on the subject of the future of Togoland under French administration and the action which had been taken.

14. Mr. JAIPAL (India), referring to section II, of the draft report, observed that paragraph 17 reproduced only the first paragraph of the preamble of part II of General Assembly resolution 944 (X). The second and third paragraphs of that preamble were, he thought, equally important and he requested their incorporation in paragraph 17.

15. Mr. WIESCHHOFF (Secretary of the Council) said that those two paragraphs would be added to paragraph 17 if the members of the Council so wished.

16. He said that if the Indian representative's proposal were adopted, the following text would be inserted after the first sentence in paragraph 17:

"The resolution also noted the statements by the representative of France that his Government supported in principle the proposals made by the Visiting Mission and noted further the view expressed by the Visiting Mission that, following the political reforms at present contemplated by the Administering Authority, steps would be taken to ascertain the wishes of the inhabitants of the Territory as to their future."

17. The new paragraph 35, which would be added to the draft report in consequence of the adoption of the joint draft resolution (T/L.733) would read as follows:

"At its 745th meeting the Council, by resolution 1499 (XVIII) decided to transmit to the eleventh session of the General Assembly the memorandum of the Administering Authority (T/1274/Rev.1) and to invite attention to the records of the discussion of this question in the Council at its seventeenth and eighteenth sessions."

18. Mr. JAIPAL (India) proposed that the words "by a tie vote" should be added to the first sentence in paragraph 34.

19. Mr. CUTTS (Australia) did not think the wording suggested by the Indian representative was very happy and suggested that the words "by 7 votes in favour and 7 against" should be used instead.

20. Mr. GIDDEN (United Kingdom) asked whether it was customary to record the details of votes in the Council's reports.

21. Mr. WIESCHHOFF (Secretary of the Council) said that it was not usual to state by how many votes proposals were adopted or rejected, but he could not say for sure whether there had ever been any exceptions to that rule.

22. The PRESIDENT put to the vote the Australian representative's amendment.

The amendment was adopted by 9 votes to none, with 4 abstentions.

23. The PRESIDENT said that if there were no objections he would consider that the Council had accepted all the additions and amendments. He put to the vote the draft report (T/L.719 and Add.1), as amended.

The draft report, as amended, was adopted by 9 votes to none, with 5 abstentions.

Adoption of the report of the Trusteeship Council to the General Assembly (T/L.683/Rev.1 and Add.1) (concluded)

[Agenda item 18]

At the invitation of the President, Mr. Baradi, representative of the Philippines on the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, took a place at the Council table.

24. Mr. BARADI (Philippines) thanked the President for the objectivity and impartiality with which he had carried out his functions and for the very able manner in which he had conducted the proceedings.

He was gratified by the spirit of co-operation and understanding shown by the members of the Council and he wished also to thank the Vice-President, the representatives of the specialized agencies and the members of the Secretariat for the assistance they had given him.

25. For reasons of health, the Chairman of the Advisory Council was unfortunately unable to come in person to express his thanks and congratulations to the President of the Trusteeship Council, and he had therefore asked Mr. Baradi to do so on his behalf.

26. In concluding, he expressed the hope that no backward step would delay the progressive development of the Trust Territories towards self-government and that, under the terms of resolution 289 (IV) adopted by the General Assembly in 1949, Somaliland would gain its independence in 1960.

27. The PRESIDENT thanked the representative of the Philippines for the kind words he had addressed to the Council and expressed wishes for the speedy recovery of the Chairman of the Advisory Council for Somaliland.

28. He then asked the members of the Council to vote on the Council's report to the General Assembly (T/L.683/Rev.1 and Add.1).

The report was adopted by 9 votes to none, with 5 abstentions.

Mr. Baradi, representative of the Philippines on the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration, withdrew.

Appointment of the members of the Standing Committee on Petitions

[Agenda item 19]

29. The PRESIDENT nominated the following countries as members of the Standing Committee on Petitions: Belgium, Burma, China, the United States of America, France and the Union of Soviet Socialist Republics. In compliance with a request that had been made to him, he put each nomination to the vote separately.

The nomination of Belgium was approved by 13 votes to none.¹

The nomination of Burma was approved by 11 votes to none, with 2 abstentions.

The nomination of China was approved by 9 votes to 2, with 2 abstentions.

The nomination of France was approved by 13 votes to none, with 1 abstention.

The nomination of the Union of Soviet Socialist Republics was approved by 12 votes to none, with 1 abstention.

The nomination of the United States of America was approved by 13 votes to none, with 1 abstention.

The question of the sixth special session of the Council

30. The PRESIDENT reminded members that at the 705th meeting, the representative of the United States had suggested that the Council should examine the report of the International Bank for Reconstruction and Development on Somaliland under Italian adminis-

tration at a special session, in accordance with General Assembly resolution 855 (IX). He believed that the Bank's report would be circulated during October. Therefore, if the Council wished to hold a special session, it should take a decision to that effect under rule 2 of its rules of procedure. He personally thought that 1 November should be the opening date for such a session.

31. Mr. CUTTS (Australia) pointed out that what the United States delegation had proposed was that if, as had been anticipated at the time, it had been found necessary to hold a special session to discuss the issue of Togoland under French administration, the question of the Bank's report on Somaliland under Italian administration might have been included in the agenda of that session. But the question of Togoland under French administration had been disposed of, at least for the present year, and it would not therefore be necessary to hold a special session to study that problem. Consequently, the Council should first decide whether or not it should hold a special session to examine the report of the Bank, after which it could fix a date.

32. Mr. MULCAHY (United States of America) confirmed the Australian representative's interpretation of the United States proposal. Nevertheless, the United States delegation attached such importance to the Bank's report and felt so strongly that it should be studied by the Council, that it was prepared to support any proposal for the holding of a special session, or to make such a proposal itself if that would facilitate the procedure. Before doing so, however, he wished to know whether the Italian Government would be in a position to take part in the discussions at the time suggested.

33. Mr. GRILLO (Italy) said that his delegation would abide by any decision that the Council might take. He added that he had no information on the contents of the Bank's report and did not know whether it had been studied by the Italian Government.

34. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) felt that it would be difficult to hold a special session starting on 1 November if the Bank's report were not to be circulated until October, as the report would need careful study. The Trusteeship Council would have to await the comments and conclusions of the Italian Government and the Somaliland Government before it could undertake such a study. He therefore thought that it would be preferable not to settle that question at the present juncture and to defer a decision on the date of a special session until the Council had received the Bank's report, the report of the Italian Government and the comments of the Somaliland Government.

35. Mr. GRILLO (Italy) supported the suggestion of the USSR representative. He wished, however, to make it clear that, in taking that view, the Italian delegation had no wish to delay the convening of a special session.

36. Mr. GIDDEN (United Kingdom) said that from the practical point of view, the USSR proposal would mean that a decision could not be taken until the General Assembly session had begun. He suggested that it would be better to decide to hold the special session on 1 November or as near to that date as possible so that the members of the Council would know where they stood.

¹ The representative of Belgium did not participate in the vote on the nomination of his country to the Committee.

37. Mr. JAIPAL (India) felt that it would be difficult to take a firm decision at the present stage. It would be better to wait until the report was issued. After consulting the Administering Authority, the delegations concerned could then request the President to convene a special session under rule 3 of the rules of procedure.

38. The PRESIDENT drew attention to paragraph 3 of General Assembly resolution 855 (IX) in which the Council was requested to submit a report to the Assembly at its next session.

39. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) pointed out that by "next session" the General Assembly had meant its tenth regular session. Consequently, the resolution laid no obligation upon the Council except in regard to the Assembly's tenth session. The Council had been unable to comply with the Assembly's request because the Bank's report had not been ready. It would be in the same position, through no fault of its own, if the Bank's report was not ready for the eleventh or twelfth session.

40. Mr. MULCAHY (United States of America) said that the discussion had convinced him that the Council had a moral obligation to examine the report it had done so much to initiate. He felt that the Council could agree immediately in principle that a special session should be held and leave it to the President to fix the actual date.

41. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) said that his delegation had no objection to a special session once the report had been circulated and studied and members of the Council had received the instructions of their Governments. However, his delegation would vote against the United States proposal because it felt that the Council should not take a decision without knowing whether the Bank's report would in fact be circulated by the appointed date.

42. Mr. JAIPAL (India) asked whether the Bank would present its report to the Administering Authority or to the Council. If the report was presented to the Administering Authority, it would be more proper for the Administering Authority to request a special session. He also asked whether the Italian delegation favoured a special session; if so, the Indian delegation would vote for the proposal to hold one.

43. The PRESIDENT said that the Bank would submit its report to the Administering Authority in the first instance.

44. Mr. GRILLO (Italy) said that his delegation had no objection to the convening of a special session.

45. Mr. DORSINVILLE (Haiti) pointed out that it was for the Administering Authority to decide whether a special session should be held. It would submit a request to the President of the Council under rule 3 of the rules of procedure and the President could then fix the date of the special session. That, he thought, would be the simplest solution.

46. Mr. MULCAHY (United States of America) found it difficult to understand how the Council, after having had the urgent matter of the economic future of the Trust Territory of Somaliland under Italian administration on its agenda for so many sessions, could now entertain the thought that a report on the problem could be so inconsequential as not to warrant a special study by the Council. If the Council did not act, several months might go by before anything

practical could be done. His delegation therefore urged that his proposal should be put to the vote.

47. Mr. KIANG (China) said that his delegation had, from the outset, supported the United States suggestion to hold a special session to study the question of the economic future of Somaliland.

48. Mr. MUFTI (Syria) thought that if the Council decided to hold a special session, it should make its decision contingent on a number of factors, such as the availability of the necessary documentation.

49. The PRESIDENT put the United States proposal to the vote.

The proposal was adopted by 3 votes to one, with 7 abstentions.

50. Mr. CUTTS (Australia) said that although he had been unable to support the United States proposal his delegation was in favour of holding a special session on the question if the Bank's report was available in time and the Administering Authority was in a position to consider it. However, all those things were hypothetical, and he had felt it was premature for the Council to take a decision. His delegation would of course be very glad to participate in a special session.

51. Mr. GRILLO (Italy) said that, by abstaining, the Italian delegation had wished to indicate that it would comply with any decision by the Council.

Closing of the session

52. Mr. ROLZ BENNETT (Guatemala) paid a tribute to the skill, exemplary impartiality, authority and tact with which the President had performed his duties. He also congratulated the Vice-President and thanked the Secretariat for its contribution to the Council's work.

53. Mr. DORSINVILLE (Haiti), Mr. BARGUES (France), Mr. GRUBYAKOV (Union of Soviet Socialist Republics), Mr. JAIPAL (India), U MYA SEIN (Burma), Mr. GIDDEN (United Kingdom), Mr. MULCAHY (United States), Mr. DAVIN (New Zealand), Mr. KIANG (China), Mr. SMOLDEREN (Belgium), and Mr. CUTTS (Australia) associated themselves with the Guatemalan representative's statement.

54. Mr. GRILLO (Italy) (Vice-President of the Council) also paid a tribute to the President.

55. The PRESIDENT thanked the preceding speakers for their kind statements. He congratulated the members of the Council on having completed a heavy agenda and thanked them for their co-operation. He also thanked the Vice-President who had taken the chair on several occasions when he had been absent owing to work in various committees. He thanked the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories, the Secretary of the Committee, all the members of the Secretariat who had assisted the Council, the representatives of the specialized agencies who had shown such a keen interest in the discussions, and the special representatives of the Administering Authorities who had helped the Council to complete its task. Finally he extended special thanks to the members of the Advisory Council for Somaliland who had been given a very arduous task and who had made a valuable contribution to the achievement of the aims of the Trusteeship System.

56. He declared the eighteenth session of the Trusteeship Council closed.

The meeting rose at 4.25 p.m.