



TRUSTEESHIP COUNCIL
Thirty-first Session
OFFICIAL RECORDS

Wednesday, 24 June 1964,
 at 3 p.m.

NEW YORK

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President: Mr. F. H. CORNER (New Zealand).

Present:

The representatives of the following States: Australia, China, France, Liberia, New Zealand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: Food and Agriculture Organization of the United Nations; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

Examination of petitions (T/PET.10/L.5, T/PET.10/L.6, T/PET.10/L.7 and Add.1)*

[Agenda item 5]

1. The PRESIDENT noted that petition T/PET.10/L.5 contained a request to the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1964, to make adequate time available to the people of Saipan for the discussion of certain matters, and that the Visiting Mission had met that request during its visit to the Territory. He would therefore propose that the Council should decide that no further action on the petition was called for.

It was so decided.

2. The PRESIDENT asked the Council to consider the petitions contained in the various resolutions adopted by the Sixteenth Saipan Legislature which were reproduced in document T/PET.10/L.6.

3. Miss BROOKS (Liberia) pointed out that the question of an autonomous legislative power raised in the petition contained in resolution 16-2-24 of the Saipan Legislature was dealt with in chapter V of the report of the Visiting Mission (T/1620). She therefore suggested that the Council should refer the petitioners to that chapter of the Mission's report, to the records of the discussions on the question in the Trusteeship Council, and to the relevant conclusions and recommendations adopted at the previous meeting.

4. Mr. FOTIN (Union of Soviet Socialist Republics) thought that the fact that a legislative assembly in the Trust Territory had come out in favour of the establishment of a fully autonomous and independent legislative body for the Territory was very important, and confirmed the view which his delegation had expressed in the amendment it had submitted in paragraph 6 of document T/L.1083. The amendment recommended that all legislative powers should be transferred to the proposed congress of Micronesia as soon as possible and that decisions of the congress should be final; those recommendations were in conformity with the desires of the people of the Trust Territory.

5. Mr. YATES (United States of America) pointed out that the Council had considered the matter raised in the position at the previous meeting when the Soviet amendment had been before it. His delegation favoured the procedure suggested by the Liberian representative.

6. The PRESIDENT said that, if there were no objections, the Liberian representative's proposal would be adopted.

It was so decided.

7. The PRESIDENT invited the Council to consider the petition concerning the introduction of the jury system contained in resolution 16-3-64 of the Saipan Legislature.

8. Mr. YATES (United States of America) recalled that the Council had discussed the question at length at its thirtieth session (1212th meeting). At that time, his delegation had said that the introduction of the jury system had been under consideration for many years and that judicial experts had concluded, after an on-the-spot investigation, that it was not yet time to attempt to introduce the system in the Territory. The United States Government continued to consider the question very carefully, and it did intend to introduce such a system at the earliest possible moment. He suggested that the records of the meeting of the Trusteeship Council dealing with that question and the texts of relevant statements made during the discussion should be made available to the petitioner.

9. Mr. FOTIN (Union of Soviet Socialist Republics) said that, regardless of the position of individual members of the Council on the introduction of the jury system in the Territory, the request of the inhabitants should be given the most serious consideration by the Administering Authority.

*This item was considered earlier in connexion with agenda items 4 (b) and 5.

10. The PRESIDENT said that, if there were no objections, the United States representative's proposal to the effect that the petitioners should be referred to the records of the Council's discussions on the subject of trial by jury would be adopted.

It was so decided.

11. The PRESIDENT invited the Council to consider the petition concerning the opening of the port of Saipan for commercial foreign vessels, contained in resolution 16-4-64 of the Saipan Legislature.

12. Miss BROOKS (Liberia) recalled that the Visiting Mission had devoted much time to that question and had dealt with it in detail in paragraphs 164-168 of its report, to which the Council might refer the petitioners.

13. Mr. FOTIN (Union of Soviet Socialist Republics) said that he had no objection to the Council's adopting the Liberian suggestion. He wished to recall that, at the thirtieth session of the Council (1213th meeting), his delegation had stressed the closed nature of the Territory and the fact that it was inaccessible to the outside world and that increased contacts with other countries would promote its economic development. The petition was also justified by article 8, paragraph 1, of the Trusteeship Agreement and by the relevant provisions of the United Nations Charter. He therefore considered the request as legitimate and in harmony with the right of the inhabitants to demand that the doors of the Trust Territory should be opened wider and that foreign commercial vessels should be allowed to call at the ports of the Territory.

14. The PRESIDENT suggested that the petitioners should be referred to paragraphs 164-168 of the report of the Visiting Mission and to the record of the current meeting.

It was so decided.

15. The PRESIDENT invited the Council to consider the petition requesting the Council to end the Trusteeship Agreement in the Mariana Islands District only, contained in resolution 16-5-64 of the Saipan Legislature.

16. Miss BROOKS (Liberia) suggested that the petitioners should be referred to paragraphs 284-291 of the report of the Visiting Mission and to paragraph 17 of the conclusions and recommendations adopted by the Council at the preceding meeting (T/1077, annex).

17. Mr. FOTIN (Union of Soviet Socialist Republics) said that, because of his Government's well-known position with regard to the Trusteeship System both as such and as applied to the Trust Territory of the Pacific Islands, his delegation was most favourably disposed towards the request by the inhabitants of one part of that Territory.

18. The PRESIDENT suggested that the petitioners should be referred to paragraphs 284-291 of the report of the Visiting Mission, to the records of the Council's discussion on the subject, and to the conclusions and recommendations on the attainment of self-government or independence adopted at the previous meeting.

It was so decided.

19. The PRESIDENT invited the Council to consider the petition concerning the final settlement of war damage claims, contained in resolution 16-6-64 of the Saipan Legislature.

20. Miss BROOKS (Liberia) proposed that the petitioners should be referred to paragraphs 94-117 of the report of the Visiting Mission and to paragraphs 1-4 of the conclusions and recommendations adopted by the Council at its preceding meeting (T/L.1077, annex).

21. Mr. FOTIN (Union of Soviet Socialist Republics) said that the refusal of the Administering Authority to meet the claims of the persons concerned was a source of dissatisfaction to the Micronesians. He then read out the first amendment (T/L.1083, para. 1) proposed by the Soviet Union to the annex to the report of the Drafting Committee on the Trust Territory of the Pacific Islands (T/L.1077). Finally, he said that the Council should play its proper role by assisting the inhabitants of the Territory to obtain satisfaction.

22. Mr. Chiping H. C. KIANG (China) suggested that, in order to avoid any confusion in the minds of the petitioners, the Council should refer them to the recommendations contained in paragraphs 1 and 2 of the annex to document T/L.1077, since paragraphs 3 and 4 related to the compensation to be paid to the victims of radio-active fall-out and to land claims respectively. He did not think there was any need to refer the petitioners to the relevant paragraphs of the report of the Visiting Mission, since the recommendations stated that the Council endorsed them.

23. Miss BROOKS (Liberia) replied that the people affected, in making their claims against Japan and the United States, had not made the distinction which the Council had drawn in the matter of war damages.

24. The PRESIDENT suggested that the Liberian and Chinese suggestions should be combined and that the petitioners should be referred to paragraphs 94-106 of the report of the Visiting Mission to the relevant records of the discussions of the Trusteeship Council, and to the conclusions and recommendations on the subject adopted at the previous meeting.

It was so decided.

25. The PRESIDENT invited the Council to consider the petition concerning the election of district administrators in Micronesia, contained in resolution 16-7-64 adopted by the Saipan Legislature.

26. Miss BROOKS (Liberia) suggested that the petitioners should be referred to paragraph 240 of the report of the Visiting Mission.

It was so decided.

27. The PRESIDENT invited the Council to examine the petition concerning the limitation of the term of office of United States personnel in the Territory, contained in resolution 16-8-64 of the Saipan Legislature.

28. Miss BROOKS (Liberia) suggested that the petitioners should be referred to paragraphs 265-267 of the report of the Visiting Mission.

29. Mr. FOTIN (Union of Soviet Socialist Republics) thought that the petition was fully justified, since, in accordance with the decisions of the General Assembly, the Territory must attain the objectives of the Trusteeship System as soon as possible. As that was in keeping with the desires of the inhabitants, it would seem natural to limit the tour of duty of all United States administrative personnel.

30. Mr. YATES (United States of America) said that he appreciated the desire to limit the term of office

of some key personnel, but it should also be pointed out that there were other districts where it was thought that the term of office of United States personnel should be extended.

31. Mr. FOTIN (Union of Soviet Socialist Republics) pointed out to the United States representative that the Council was dealing with a resolution requesting that the term of office of United States personnel in the Territory should be limited, rather than extended, and that the request related not to some personnel but to all personnel.

32. The PRESIDENT suggested that the petitioners should be referred to paragraphs 265-267 of the report of the Visiting Mission and to the record of the current meeting.

It was so decided.

33. The PRESIDENT invited the Council to consider the petition concerning technical advisers for various industrial enterprises, contained in resolution 16-9-64 of the Saipan Legislature.

34. Mr. YATES (United States of America) said that his Government recognized the merits of the petition. Economic betterment and development throughout the Territory were the concern of his Government, which was taking steps to that end. He suggested that the attention of the petitioners should be called to the discussions on the matter which had taken place in the Council, to the statement of the High Commissioner of the Territory, and to the exchanges of questions and answers in which he had taken part. He also suggested that the petitioners should be supplied with the appropriate documents.

35. The PRESIDENT suggested that the petitioners should be referred to the records of the relevant discussions of the Council and in particular to the statements made at the current session by the special representative of the Administering Authority, who was the High Commissioner of the Territory.

It was so decided.

36. The PRESIDENT invited the Council to consider the petitions from the Net Municipality (T/PET.10/L.7 and Add.1).

37. Miss BROOKS (Liberia) observed that the Visiting Mission had carefully considered those questions and had discussed them thoroughly with the Municipality. The conclusions were to be found in paragraph 244 of the report of the Visiting Mission, and she suggested that the petitioners should be referred to that paragraph.

It was so decided.

Examination of conditions in the Trust Territory of Nauru: annual report of the Administering Authority for the year ended 30 June 1963 (T/1619, T/L.1072/Rev.1) (concluded)

[Agenda item 4 (c)]

REPORT OF THE DRAFTING COMMITTEE ON NAURU (T/L.1079, T/L.1084, T/L.1085)

38. The PRESIDENT invited the Council to consider the report of the Drafting Committee on Nauru (T/L.1079) and the amendments to the draft conclusions and recommendations in the annex to that report submitted by the Liberian delegation (T/L.1084) and by the Soviet delegation (T/L.1085). He suggested that

the draft conclusions and recommendations should be taken up paragraph by paragraph, together with the relevant amendments.

39. Mr. McCARTHY (Australia), referring to the first Soviet amendment (T/L.1085, para. 1), which concerned paragraph 1 of the annex to document T/L.1079, said the additional clause proposed in the amendment seemed unnecessary since paragraph 1 covered the point adequately. Moreover, it would be impracticable to append all proposals, recommendations, regulations and draft legislation to the annual reports. The latter must be based on the questionnaire relating to developments during the year. In at least one particular, also, the amendment was improper in relation to Australian legislative practice and that of many other countries, since draft legislation was not made public before it was considered by the legislature. For those reasons, his delegation would oppose the proposed amendment.

40. Mr. FOTIN (Union of Soviet Socialist Republics) said that the Australian representative's objections to the Soviet amendment were a further demonstration of the general, negative attitude of the Administering Authority towards the wishes of the people of the Trust Territory, despite that Authority's numerous declarations to the effect that it desired to be guided by those wishes. He wondered why the Administering Authority sought to conceal from the Council the proposals, recommendations and draft legislation of the Nauru Local Government Council dealing with the Territory and particularly with the future of the Nauruan people. His delegation considered that any document emanating from the inhabitants of the Trust Territory was vitally important to the political advancement and the future of the Territory, and the Trusteeship Council must be fully informed of the wishes of the people of the Territory regarding their own future. The Soviet amendment was therefore essential. The Australian representative's comment on the legislative practice of States was not valid, since the issue did not concern Australia but a Trust Territory under the international control of the United Nations.

41. Miss BROOKS (Liberia) thought that the amendment proposed by the Soviet Union representative was somewhat confusing, especially in the last part. In her opinion, to request the Administering Authority to include in its report the recommendations of the Local Government Council regarding the future of the Nauruan people would be to take away one of the functions assigned to the visiting mission which would be going to the Trust Territory before the next session of the Council.

42. Mr. McCARTHY (Australia) said Nauru was so small that the visiting missions met literally all the people, and nothing could be concealed from them. Furthermore, the Australian Government had regularly submitted detailed annual reports on the basis of the questionnaires drawn up by the Trusteeship Council and had sent to the Council indigenous representatives able to give all the information members desired.

43. Mr. FOTIN (Union of Soviet Socialist Republics) expressed the hope that no information would be withheld from the visiting mission which would go to New Guinea and Nauru in 1965. However, the Administering Authority would render a service to the visiting mission to Nauru by appending to its own report all the documents required.

44. The Soviet amendment also related to proposals and recommendations which had not been formally submitted by any organ in the Territory or by the Administering Authority. For example, unfortunately it had not been possible to learn the contents of the document relating to the transfer of legislative and executive powers in the Territory to the Nauru Local Government Council, which had been referred to by the special representative in the course of the debate.

45. As to the annual reports of the Administering Authority, it was unfortunately impossible to extract their substance, which was concealed behind obscure and involved language.

46. Mr. YATES (United States of America) said that he was impressed by the term "draft legislation" in the Soviet amendment. If the members of the Nauru Local Government Council were as active and prolific as members of the United States Congress and if, as the Soviet delegation desired, each proposal of each member of the Nauru Local Government Council was appended to the report, the latter would take on inordinate proportions.

47. Mr. FOTIN (Union of Soviet Socialist Republics) said that any idea inflated to impossible proportions could be turned into an absurdity, as in the case of the comparison of the Nauru Local Government Council to the United States Congress. Besides, in using the term "draft legislation", the Soviet delegation had in mind texts which were passed by the Nauru Local Government Council but had not become law because they had not yet been approved by the Administrator of the Trust Territory.

The USSR amendment (T/L.1085, para. 1) was rejected by 4 votes to 1, with 2 abstentions.

Paragraph 1 of the draft conclusions and recommendations (T/L.1079, annex) was adopted unanimously.

The second USSR amendment (T/L.1085, para. 2) was rejected by 6 votes to 1, with 1 abstention.

Paragraph 2 of the draft conclusions and recommendations (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

48. Mr. FOTIN (Union of Soviet Socialist Republics) observed that his delegation's vote on paragraph 2 of the draft conclusions and recommendations should be considered in conjunction with the Soviet amendment, which explained the Soviet position in the matter.

49. The PRESIDENT invited the Council to consider the third USSR amendment (T/L.1085, para. 3), which called for the deletion of the words "in some respects" in paragraph 3 of the draft conclusions and recommendations.

50. Miss BROOKS (Liberia) pointed out that in paragraph 3 the Council was taking note of what the Head Chief of Nauru had said. She did not understand how the Soviet Union representative could wish to delete part of what had been said to the Director of Nauruan Resettlement.

51. Mr. Chiping H. C. KIANG (China) said that his delegation could not support deletion of the words "in some respects", because Mr. Bernicke, the adviser to the special representative of the Administering Authority for Nauru, had stated that the Nauruans' opposition to the Australian Government's proposals was due, not to the size of Curtis Island, but to the fact that the Nauruan leaders did not find the political arrangements acceptable.

52. Mr. FOTIN (Union of Soviet Socialist Republics) said that the statement in question was the Head Chief's and not Mr. Bernicke's. It should be reproduced word for word and until the members of the Drafting Committee proved that it included the words "in some respects" his delegation would continue to press its amendment.

53. Mr. McCARTHY (Australia) said that the preference was for Curtis Island as the site for resettlement of the Nauruans and that on that basis negotiations to determine the final conditions for resettlement were continuing. It was therefore perfectly correct to say that the Australian proposals were "in some respects" unacceptable to the Nauru Local Government Council. At the present time, those proposals were unacceptable in some respects but acceptable in other and vital respects. The Trusteeship Council was aware that the next phase of those negotiations would take place the following month.

54. Mr. FOTIN (Union of Soviet Socialist Republics) said he clearly recalled the Head Chief's statement that the Administering Authority's proposals concerning the resettlement of the Nauruans were unacceptable to the islanders. The statement had not indicated that the proposals were unacceptable "in certain respects" only. If he was not mistaken, the statement appeared in the proposals submitted to the Australian Government on 19 June 1962, which were reproduced in document T/1600. In any case, the paragraph as now worded was not clear and a text which was likely to give rise to varying interpretations could not be endorsed. Furthermore, it was not indicated whether the Head Chief's statement had been made before the Trusteeship Council or elsewhere. For those reasons, the words "in some respects" should be deleted.

55. Mr. McCARTHY (Australia) explained that the proposals in question had been considered since the preceding session of the Trusteeship Council by the Director of Nauruan Resettlement, who had presented them in detail to the Council.

The third USSR amendment (T/L.1085, para. 3) was rejected by 6 votes to 1.

Paragraph 3 of the draft conclusions and recommendations (T/L.1079, annex) was adopted by 6 votes to none, with 1 abstention.

Paragraph 4 (T/L.1079, annex) was adopted by 7 votes to 1.

56. Mr. FOTIN (Union of Soviet Socialist Republics) said that paragraph 4 contained nothing which could be considered a conclusion or a recommendation. It simply reported certain facts which, moreover, pre-judged the decisions of the Nauruans, since the Nauruans had not even decided to move to Curtis Island. In accepting that paragraph, the Trusteeship Council was in fact helping the Administering Authority in its attempts to exert pressure on the Nauruans to accept a decision with regard to their future that suited Australia. His delegation had therefore voted against the adoption of that paragraph.

57. Mr. McCARTHY (Australia) observed that Curtis Island was a very valuable piece of land meeting almost all the conditions set by the Nauruans, although it had no mineral deposits. The Australian Government was dispossessing forty Australian families in order to be able to place the island at the disposal of the Nauruans as real estate in fee simple should they decide to settle there. His delegation was surprised

that the representative of the Soviet Union should describe that offer as pressure exerted on the Nauruans. He had no doubt that exactly the same critical attitude would have been taken by the Soviet Union if the Australian Government had decided not to acquire the property.

58. Mr. FOTIN (Union of Soviet Socialist Republics) observed that the Nauruans lived on an island which was their homeland and whose natural resources, constituting the sole wealth of the population, were being exhausted by the British Phosphate Commissioners year by year. What the Council was not being told was that the Nauruans had not agreed to abandon their island, despite the pressures exerted to that end by the Administering Authority. Therefore, as long as the Nauruans had not decided to resettle on Curtis Island, whatever was done on that island by the Administering Authority was not as significant as the Council was led to believe. The truth was that Australia's statements were designed solely to persuade the Nauruans to accept a decision which served only the interests of the Administering Authority.

Paragraph 5 of the draft conclusions and recommendations (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

59. Mr. McCARTHY (Australia), commenting on the fourth USSR amendment (T/L.1085, para. 4), which concerned paragraph 6 of the draft conclusions and recommendations, said that the text referred to in the amendment (T/1600) was dated 19 June 1962. Since that date the negotiations carried on between the Australian Government and the Nauruan Resettlement Committee had substantially altered the situation. For that reason, his delegation would vote against the amendment.

60. Mr. FOTIN (Union of Soviet Socialist Republics) stressed the special importance of the amendment, which represented an expression of the views of the indigenous population of the Territory as they appeared in document T/1600. It would be impossible for the Australian representative to quote a single document emanating from the Nauru Local Government Council which would render document T/1600 and the position of the Nauruans with respect to resettlement void. Australia did not want to transfer sovereignty over Curtis Island to the Nauruans even if they decided to settle here. That was a fact which undeniably ran counter to the wishes of the population of Nauru, who had proposed the following conditions with regard to resettlement: that the Nauruans should retain a full measure of self-government as an independent and sovereign nation; that the Nauruans should have territorial sovereignty over their new home; that the island of Nauru should remain under the sovereignty of the Nauruans as their country of origin. In two years the Nauruans had not abandoned those conditions and the Trusteeship Council must be guided by them.

61. Moreover, if Australia rejected the amendment it would be rejecting the following sentence, which was a part of the amendment: "The Council considers that the wishes of the Nauruan people should be paramount in all matters relating to them". What other interests could be paramount in the circumstances?

62. Mr. NORRISH (New Zealand) recalled his statement at the 1237th meeting, during the general debate, in which he had sought to show that the position of the Nauruan community was not so far removed from that

of the Australian Government as had been alleged. At that time he had referred both to a statement in which the Director of Nauruan Resettlement had indicated that the Australian Government was prepared to grant the Nauruans a very large measure of self-government and to a statement made by the Head Chief of Nauru, who, one year after the publication of document T/1600, had said that the Nauruan community expected the Administering Authority to go as far as possible towards meeting the wishes expressed in document T/1600. It would therefore appear that the wording of paragraph 6 (T/L.1079, annex), was an exact and very carefully balanced statement of the views of the majority of the Council's members and that desire that the negotiations should continue.

The fourth USSR amendment (T/L.1085, para. 4) was rejected by 4 votes to 2, with 2 abstentions.

63. Mr. McCARTHY (Australia) said that he found it difficult to take part in a vote on recommendations to his own Government and that he would therefore abstain in the vote on paragraph 6 (T/L.1079, annex), as he would in the voting on paragraphs 7 and 10.

Paragraph 6 (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

The fifth USSR amendment (T/L.1085, para. 5) was rejected by 5 votes to 2, with 1 abstention.

Paragraph 7 (T/L.1079, annex) was adopted by 6 votes to none, with 2 abstentions.

Paragraph 8 (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

64. Mr. McCARTHY (Australia) said that, contrary to the statement made in the USSR delegation's sixth amendment (T/L.1085, para. 6) the most responsible posts in the Administration were no longer held by Australians.

The sixth USSR amendment (T/L.1085, para. 6) was rejected by 5 votes to 1, with 1 abstention.

Paragraph 9 (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

Paragraph 10 (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

65. Miss BROOKS (Liberia), referring to the seventh USSR amendment (T/L.1085, para. 7), proposed that, for reasons of courtesy, the words "with regret" should be deleted.

66. Mr. FOTIN (Union of Soviet Socialist Republics) agreed to that change.

67. Mr. McCARTHY (Australia), repeating the explanation he had already given during the general debate, said that in his experience there had been no case of the appointment of a member of the judiciary being terminated either in Australia or on Nauru. The power to dismiss a member of the judiciary was intended for the protection of the Nauruan people in the even of proven incompetence or some other even more reprehensible circumstances but had never yet been applied. Furthermore, termination could take place only after proof of the facts had been properly established.

68. Mr. FOTIN (Union of Soviet Socialist Republics) observed that only the representative of the Administering Authority was qualified to decide whether a judge in the Territory was incompetent or guilty of misbehaviour. His delegation considered that the

Nauruans were perfectly capable of deciding the question for themselves, and the amendment which it had submitted was intended precisely to safeguard the Nauruans in the event of a conflict of views.

69. Mr. McCARTHY (Australia) reiterated that the Australian judicial system did not allow anyone to dismiss a judge without a thorough inquiry into the allegations against him.

The seventh USSR amendment (T/L.1085, para. 7), as orally revised, was rejected by 3 votes to 2, with 1 abstention.

Paragraph 11 (T/L.1079, annex) was adopted by 6 votes to none, with 2 abstentions.

Paragraph 12 (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

Paragraph 13 (T/L.1079, annex) was adopted unanimously.

70. Mr. McCARTHY (Australia) observed, with regard to the eighth USSR amendment (T/L.1085, para. 8), that an important share of the profits from the mining of phosphates was utilized for the advancement of the Territory and the welfare of the Nauruan people.

71. Mr. YATES (United States of America) felt that it was superfluous to reaffirm a principle which had already been approved by the General Assembly.

The eighth USSR amendment (T/L.1085, para. 8) was rejected by 4 votes to 3, with 1 abstention.

Paragraph 14 (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

Paragraph 15 (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

Paragraph 16 (T/L.1079, annex) was adopted unanimously.

72. The PRESIDENT invited the Council to consider the Liberian amendment (T/L.1084) calling for the addition, at the end of section IV "Social advancement" of the draft conclusions and recommendations (T/L.1079, annex), of the following new paragraph:

"The Council hopes that the age for women voters will be reduced from twenty-one to eighteen years".

73. Miss BROOKS (Liberia) hoped that the Australian delegation would not oppose the amendment and that it would be adopted unanimously.

74. Mr. McCARTHY (Australia) feared that the proposal might be a discrimination against Nauruan men based on sex. At the same time he wondered whether the adoption by the Trusteeship Council of such a recommendation, which was not necessarily in accord with the wishes of the Nauruan people, would not prove embarrassing to them.

75. Miss BROOKS (Liberia) replied that Nauruan women were eligible to marry at the age of sixteen, and it seemed reasonable therefore to allow them to vote at the age of eighteen. There was nothing to prevent a similar measure being adopted in favour of Nauruan men, if they so desired. Furthermore, the age of eighteen was almost universally accepted.

76. Mr. FOTIN (Union of Soviet Socialist Republics) said that he would support the Liberian amendment.

77. Mr. McCARTHY (Australia) observed that the question of the minimum marriage age was quite distinct from the voting age.

The Liberian amendment (T/L.1084) was adopted by 3 votes to 2, with 3 abstentions.

78. Mr. DOISE (France) explained that he had abstained in the vote because he had been worried not so much about the form of the amendment as about the consequences that might ensue.

79. Mr. YATES (United States of America) explained that the United States delegation had abstained in the vote because it felt that it was for the people of Nauru to settle the matter themselves.

80. Mr. NORRISH (New Zealand) explained that he had abstained in the vote because in his country, which had been one of the first to give women the vote, the minimum age of marriage was sixteen years for both sexes whereas the voting age, again for both sexes, was twenty-one.

81. Mr. FOTIN (Union of Soviet Socialist Republics) proposed that paragraphs 17 and 18 of the draft conclusions and recommendations (T/L.1079, annex) should be taken together, and then paragraphs 19 and 20, in order to expedite the Council's work.

Paragraphs 17 and 18 (T/L.1079, annex) were adopted by 7 votes to none, with 1 abstention.

82. Mr. McCARTHY (Australia) requested a separate vote on paragraphs 19 and 20.

Paragraph 19 (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

Paragraph 20 (T/L.1079, annex) was adopted unanimously.

Paragraph 21 (T/L.1079, annex) was adopted by 7 votes to none, with 1 abstention.

83. The PRESIDENT put to the vote the recommendations contained in paragraph 4 of document T/L.1079.

The recommendations (T/L.1079, para. 4) were adopted by 7 votes to none, with 1 abstention.

Arrangements for the dispatch of a periodic visiting mission to the Trust Territories of Nauru and New Guinea in 1965 (T/L.1082, T/L.1086) (continued)

[Agenda item 7]

84. The PRESIDENT called on the representative of the United Kingdom to introduce the draft resolution contained in document T/L.1082.

85. Mr. SWAN (United Kingdom) referred to the second preambular paragraph of his delegation's draft resolution (T/L.1082) and proposed that the blanks left for the names of the countries which would nominate the members of the 1965 visiting mission to the Trust Territories of Nauru and New Guinea should be completed in accordance with the President's statement on the subject at the Council's previous meeting.

86. The PRESIDENT put to the vote the first USSR amendment (T/L.1086, para. 1 (a)) to the United Kingdom draft resolution, to the effect that the words "and the Declaration on the granting of independence to colonial countries and peoples" should be added to operative paragraph 1, after the words "Article 76 b of the Charter of the United Nations".

The amendment (T/L.1086, para. 1 (a)) was rejected by 4 votes to 2, with 1 abstention.

87. The PRESIDENT put to the vote the second USSR amendment (T/L.1086, para. 1 (b)), calling for the deletion of the last part of operative paragraph 1 of the draft resolution, beginning with the words "in the light of the relevant sections of the Charter".

The amendment (T/L.1086, para. 1 (b)) was rejected by 7 votes to 1.

88. Before putting the United Kingdom draft resolution to the vote, the PRESIDENT explained, with regard to the second preambular paragraph, that the blanks for the countries which would nominate the members of the visiting mission would be filled in with the names of France, Liberia, the United Kingdom of Great Britain and Northern Ireland and the United States of America. He hoped that the names of all four nominees would be received before the Council's next meeting so that they could be approved at that time.

The draft resolution (T/L.1082) was adopted by 7 votes to none, with 1 abstention.

89. Mr. McCARTHY (Australia), referring to rule 95 of the Council's rules of procedure, said that he did not agree with the way in which the representative of the Soviet Union had interpreted that rule at the previous meeting, for the simple reason that it enjoined the Council to select the members of each visiting mission. Clearly that meant to name particular individuals, and that had been unbroken Council practice as was provided for, and was exemplified in, the resolution which had just been adopted. Those individuals, according to the same rule, should "preferably be one or more of the representatives on the Council", in other words, they should preferably be one or more of the members now sitting round the Council table, and preferably not someone from one of the countries which had been named who did not actually represent that country in the Council as an individual. That was not, of course, mandatory; it was simply a matter of preference. It had been advocated as a matter of preference simply and obviously because representatives actually sitting in the Council were equipped by experience and knowledge to approach their task with a full appreciation of the interest and procedure of the Council and they might be expected to report to the Council and, with their first-hand knowledge of the Trust Territories, contribute more effectively to its work in general.

90. Furthermore, the Soviet Union representative had suggested that there existed some sort of sinister arrangement between the Administering Authorities when it came to the appointment of members of a visiting mission. In that connexion he had mentioned the United States and Australia. Although it was true that Australia had been a member of four visiting missions, those missions had never gone to the Trust Territory under United States administration. It was of interest to note also that the following countries had all participated in visiting missions: Belgium, Bolivia, Burma, Chile, China, Costa Rica, the Dominican Republic, El Salvador, France, Guatemala, Haiti, India, Iraq, Italy, Liberia, Mexico, New Zealand, Paraguay, the Philippines, Syria, Thailand, the United Arab Republic, the United Kingdom and the United States.

91. The Soviet Union representative had complained that his country had never been a member of a visiting mission. That was because all the other members of the Council, since the Council's establishment, had considered that it should be so. It should not be difficult for the Soviet Union representative to discover the reasons, if he wished to do some soul-searching. The non-representation of the Soviet Union on any of the seventeen or eighteen visiting missions which had gone wherever in the world there was a Trust Territory had obviously been a matter of decision by the Council, since its very first meeting as a body was deliberately constituted so as to give parity of representation between administering and non-administering Powers.

92. The Soviet Union representative had questioned the objectivity of certain members of visiting missions. He himself, however, believed that it was precisely owing to lack of objectivity on the part of the Soviet Union that the latter had never been appointed a member of a mission. For example, it had never had a word of praise for the Australian and indigenous workers employed in the Trust Territories, who were not policy-makers but were all animated by a desire to serve the cause of the dependent peoples so that those peoples might enjoy the advantages of real freedom.

93. The Soviet Union representative had singled out the United Kingdom for special criticism. Yet it must be acknowledged that the United Kingdom had played a most notable part in the process of decolonization; furthermore, it must not be forgotten that the United Kingdom had participated with the greatest credit to itself in visiting missions to the Australian Territories in the Pacific, a fact of which the Soviet Union representative must be aware since he had quoted freely from the reports of the United Nations Visiting Mission to the Trust Territories of Nauru and New Guinea, 1962 of which Sir Hugh Foot had been Chairman.

94. Mr. SWAN (United Kingdom) recalled that at the previous meeting the Soviet Union representative had asked by what right the United Kingdom representative had been appointed a member of the Visiting Mission to New Guinea and Nauru. That representative had been appointed under rule 95 of the Council's rules of procedure. There was also a precedent in that the representative of the United Kingdom on the Trusteeship Council had been the Chairman of the Visiting Mission to those Territories in 1962.

95. He could also assure the Soviet Union representative that it would not be necessary to protect the Nauruan people against the British Phosphate Commissioners, because the Nauruans had established their own instrument for negotiating with the Commissioners and also because the Commissioners, far from exploiting the resources of the Territory to the detriment of the Nauruans, had enabled them to reach a very high standard of living and would help to provide a new home for them when the natural resources which were the present basis of their prosperity were exhausted.

96. Mr. FOTIN (Union of Soviet Socialist Republics), replying to the statements made by the Australian and United Kingdom representatives, particularly on the score of the Soviet Union's alleged lack of objectivity, reminded the Australian representative that if the USSR had never been a member of a visiting mission

the reason was the discrimination practised against it by the Administering Authorities; and that the composition of the Council was such that, should the Administering Authorities oppose the inclusion of any member in a visiting mission, that member would not be included.

97. Turning to the Australian representative's comments about the 1962 Mission, he recalled that certain members of the Council had not been particularly satisfied with the appointment of the United Kingdom representative to that Mission.

98. As for the role which the United Kingdom was said to have played in the decolonization process, he would merely ask the Australian representative to consult the record of the same day's meeting 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 (A/AC.109/SR.271), with particular reference to the statement by the Ethiopian representative, who had dealt with the matter in fairly strong language.

99. Replying to the United Kingdom representative, he observed that rule 95 of the rules of procedure merely indicated the possible membership of a visiting mission. In addition to the fact that the appointment of Sir Hugh Foot had constituted an exception, Sir Hugh had owed his appointment simply to personal qualities, which had later led him to break with his Government and refuse to carry out his instructions.

100. He doubted the statement of the United Kingdom representative that the Nauruans did not have to be protected against the British Phosphate Commissioners. It should not be forgotten that the United Kingdom representative represented a country which was one of the main shareholders of the phosphate company, and consequently it was not surprising that he should come to its defence. That statement should militate against the inclusion of a United Kingdom representative in the visiting mission which was to go to Nauru.

101. Mr. SWAN (United Kingdom) said he was of course prepared to defend the British Phosphate Commissioners against accusations by the Soviet Union representative, but the point he had wished to make was that there was no need to defend the Nauruans against the British Phosphate Commissioners.

Attainment of self-government or independence by the Trust Territories, and the situation in the Trust Territories with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples

Co-operation 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

[Agenda items 8 and 9]

102. Miss BROOKS (Liberia) thought that in connexion with the first item it could be said without fear of

contradiction that, throughout the examination of conditions in the three remaining Trust Territories, members of the Council had had uppermost in their minds the measures being taken to transfer all powers to the peoples of those Territories, in accordance with their freely expressed will and desire, in order to enable them to enjoy complete independence or self-government within the shortest time practicable. The Council's recommendations in that connexion, as well as the observations of members whose views differed somewhat from those recommendations, were duly recorded in the appropriate chapters of the reports dealing with conditions in the Territories. She therefore proposed that the Secretariat be requested to prepare for the Council's approval a draft of the relevant chapter of the Council's report to the General Assembly including the points to which she had referred.

103. With regard to co-operation with the Special Committee, she also suggested that, following the procedure established during the previous two years, the President might address a letter to the Chairman of the Special Committee informing him that the Council, at its thirty-first session, had examined conditions in the Trust Territories of the Pacific Islands, Nauru and New Guinea, and that the Council's conclusions and recommendations, as well as individual opinions which had been expressed in the Council, were contained in the Council's report to the Security Council in the case of the Trust Territory of the Pacific Islands and to the General Assembly in the case of Nauru and New Guinea.

104. Mr. FOTIN (Union of Soviet Socialist Republics) noted that the position of the Soviet Union on the subjects under discussion by the Council had been set forth in detail during the debate.

105. With reference to co-operation with the Special Committee, he did not object to the Liberian representative's proposal, but observed that unfortunately, in the past, such co-operation had been confined to the sending of a letter to the Chairman of the Special Committee by the President of the Trusteeship Council. In the opinion of the Soviet Union delegation, that co-operation could be developed; it could take a more concrete form—such as for example a joint visiting mission to Trust Territories—and yield more fruitful results. The Trusteeship Council had rejected his delegation's proposal. He hoped that its decision was not final, and that in future appropriate steps would be taken to develop co-operation with the Special Committee along the lines suggested by his delegation.

106. The PRESIDENT said that, if there were no further observations, he would take it that the Council decided to accept the two proposals made by the representative of Liberia.

It was so decided.

The meeting rose at 6.40 p.m.