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Lake Success, New York

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Chairman: Prince WAN WAITHAYAKON (Thailand).

Report of the Trusteeship Council (A/1306 and A/1306/Corr.1) (*continued*)

[Item 13]*

1. The CHAIRMAN invited the Committee to consider section C of the text submitted by Sub-Committee 8 (A/C.4/L.88) and the amendments to it proposed by the delegation of Cuba (A/C.4/L.91).

2. Mr. FLETCHER-COOKE (United Kingdom) first referred to the two paragraphs of the preamble proposed by the delegation of Cuba. Although the first paragraph setting out the provisions of Article 85 of the Charter seemed to be superfluous, the United Kingdom delegation would not object to its inclusion if the Committee thought it necessary. The second paragraph quoted the first part of paragraph c of Article 87 of the Charter. The United Kingdom delegation attached great importance to the second part of that paragraph of the Charter, which stated that periodic visits to the respective Trust Territories should be arranged "at times agreed upon with the Administering Authority" and would be glad if the Cuban delegation could agree to the inclusion of the full text of the paragraph.

3. With regard to the substance of section C, the United Kingdom delegation was in sympathy with the underlying idea that steps should be taken to improve the organization of visiting missions. The Trusteeship Council had, however, already considered the matter in some detail and was fully aware of all the considerations to which the draft resolution referred. In the circumstances, the United Kingdom delegation did not think that the adoption of that text would serve any useful purpose, but it would not vote against it.

4. The reasoning contained in paragraph 8 of section C appeared illogical. It did not necessarily follow that, because visiting missions had been the first of their kind, they had not entered into the details of all the problems existing in the Trust Territories. It would in fact be quite impossible for any visiting mission to enter

into the details of all the problems in those Territories. Although he did not wish to submit a formal amendment, he suggested that the paragraph would be improved by the omission of the first statement.

5. Paragraph 10 was drafted in the form the United Kingdom delegation regarded as appropriate, namely, in the form of a request to the Trusteeship Council to consider certain possibilities. His delegation was in general agreement with sub-paragraphs (a) and (b) but considered that the latter should be regarded as a guiding principle only. Where several Trust Territories were situated in the same area, visiting missions could visit a larger number. While there was no objection to sub-paragraph (c), its purpose was not clear. It was in fact always necessary for the itinerary of visiting missions to be arranged well in advance in consultation with the Administering Authorities concerned.

6. As regards sub-paragraph (d), the United Kingdom delegation considered that the interval of three years which had been established in practice between visits to individual Trust Territories was probably too short and might be extended to, say, five years. Most developments planned would not show concrete results after a period as short as three years, but there would be appreciable evidence of progress after a period of five years. The United Kingdom delegation was also opposed to reducing the number of members of visiting missions below four. As it was the usual practice for visiting missions to have an equal number of representatives of Administering Authorities and of non-administering Powers, the work of a two-member mission might be paralysed by an irreconcilable difference of opinions between its members. Moreover, visiting missions afforded members of the Council an opportunity to familiarize themselves with conditions in the Trust Territories and that opportunity would be reduced if the membership of missions was reduced below four. Again, it would be difficult in anything less than a four-member mission to reflect the various views prevailing in the Council and the Assembly on trusteeship matters. The United Kingdom delegation would pre-

* Indicates the item number on the General Assembly agenda.

fer to see sub-paragraph (d) omitted in view of the fact that all points contained in it had been, and were, under consideration by the Trusteeship Council. It would not, however, raise any objection to its inclusion if the Committee thought it desirable.

7. The United Kingdom delegation considered that the detailed organization of visiting missions was essentially a matter for the Trusteeship Council. The more freedom of action the General Assembly could give the Council the better.

8. Mr. KHALIDY (Iraq) could not agree with the statement in paragraph 8 of section C that the visiting missions had spent a limited time in the Trust Territories. The Visiting Mission to West Africa had in fact spent fifty days in the Trust Territories. The word "limited" was a relative term and its use might be misleading. He also took exception to the statement that visiting missions had not entered into the details of all the problems existing in the Trust Territories. No visiting mission could be expected to do so.

9. Sub-paragraph 10 (a) implied that visiting missions had not studied the problems of the Trust Territories thoroughly. Unless, however, there were specific grounds for dissatisfaction with the work of the visiting missions, the length of their stay in each individual Trust Territory should be left to their discretion. In any event, the length of their stay was not necessarily a criterion of the quality of their work.

10. The principle stated in sub-paragraph 10 (b) was sound but geographical considerations should always be kept in mind. It would, for example, be unreasonable to send two visiting missions to West Africa to visit adjacent territories.

11. The meaning of sub-paragraph 10 (c) was not entirely clear. While the itinerary of a visiting mission had to be fixed in advance, circumstances might make it necessary to alter it after the mission arrived in the Territory concerned.

12. Sub-paragraph 10 (d) was not objectionable in theory but could not be carried out in practice. As the United Kingdom representative had pointed out, a visiting mission of two members would not be a workable arrangement.

13. Sub-paragraph 10 (e) merely stated the existing practice and therefore seemed to be unnecessary unless there were some defect to which the General Assembly wished to draw attention. The same consideration applied to paragraph 10 (f). Moreover, it would be quite impossible for visiting missions to undertake the examination of all petitions. The Visiting Mission to West Africa had, for example, received more than 250 petitions, some of which were over fifty pages long.

14. He was nevertheless in general sympathy with the idea underlying the draft resolution, which was that the time had come to review the procedure for visiting missions. The best way to give effect to that idea, however, was to adopt a resolution in general terms requesting the Trusteeship Council to review the organization and work of visiting missions.

15. Mr. HENRIQUEZ UREÑA (Dominican Republic) felt that section C appeared to be based on a

lack of confidence in the work of visiting missions. It was difficult to see what the basis for that lack of confidence was, since, in his opinion, the visiting missions had done useful work in the past and would continue to do so in future.

16. The general view seemed to be that visiting missions should stay longer in the Trust Territories. But if they did so, they could not visit so many Territories or visit them at such frequent intervals. It was also suggested that the number of members of visiting missions should be reduced to two. As the United Kingdom representative had pointed out, that proposal was not practicable; moreover, it would involve additional expenditure as each two-member mission would need to be accompanied by approximately the same number of members of the Secretariat as a four-member mission. It was further proposed that the visiting missions should deal with all petitions. But the function of visiting missions in regard to petitions was essentially to be of assistance to the Council, since the main responsibility for examining petitions rested with the latter.

17. In the absence of any concrete cause for dissatisfaction with the work of visiting missions, a draft resolution on the lines of section C was quite unnecessary. The logical course for the Committee was to adopt a resolution requesting the Trusteeship Council to review the organization and work of visiting missions. He would abstain from voting on section C.

18. Mr. ANKER (Norway), speaking as one of the sponsors of the draft resolution (A/C.4/L.74) on which section C was based and as the Rapporteur of Sub-Committee 8, said that the text of that section was a considerable improvement on the original proposal.

19. It had not been the intention of the sponsors of the original resolution, or of the Sub-Committee, to criticize the reports of visiting missions. On the contrary, paragraph 7 of section C stressed the value of those reports.

20. As regards the criticism of the use of the word "limited" in paragraph 8, the reference was to the time spent in each Trust Territory and not to the total time spent by visiting missions in the Trust Territories. In his statement in the general debate (147th meeting) he had pointed out that the Visiting Mission to Trust Territories in the Pacific had spent only ten days in Western Samoa which, as he knew from his own knowledge of that country, was too short a time to enable the Mission to form any conclusions.

21. He agreed with those who had criticized paragraph 8 on the ground that it was impossible for visiting missions to enter into the details of all the problems in the Trust Territories. The word "all" might be deleted or the paragraph might be redrafted to omit the final sentence.

22. Speaking of paragraphs 9 and 10, he said that the Sub-Committee had not intended that the Trusteeship Council should be asked to take specific action but that its attention should be drawn to the possibility of revising its procedure along the lines suggested.

23. The representative of Iraq had asked for information regarding the meaning of sub-paragraph 10 (c) and had rightly pointed out that the itinerary of visit-

ing missions was fixed in advance. In view of the fact that conditions varied from Territory to Territory, it had been the Sub-Committee's intention that visiting missions should not be bound by a fixed itinerary any more than was necessary but should be free to alter their itinerary in the light of circumstances.

24. Mr. RYCKMANS (Belgium) agreed with the objections raised by the representatives of Iraq and the Dominican Republic to the text of section C. His delegation had submitted various amendments (A/C.4/L.95) to that text.

25. First, his delegation proposed that the words "entered into the details of all the problems existing in the Trust Territories", in paragraph 8, should be replaced by the words "been able completely to fulfil the task entrusted to them by the Trusteeship Council". The latter text would be a statement of the facts; if, for example, the Visiting Mission to West Africa had been able to spend six weeks in Togoland instead of two or three, it might have been able to submit a considered opinion on the Ewe problem.

26. His delegation also proposed the replacement of the words "to study its problems more thoroughly" in sub-paragraph 10 (a) by the words "adequately to fulfil their task" for the reason that the Trusteeship Council might only find it necessary to request visiting missions to examine certain of the problems arising in a given Trust Territory, as it might have sufficient information on the others from the reports submitted by the Administering Authorities.

27. As regards sub-paragraph 10 (d), he agreed with the representatives of Iraq, the Dominican Republic and the United Kingdom that it should be left to the discretion of the Trusteeship Council to consider how the duration of visits could be extended. It would be a mistake to fix in advance the interval between visits to all Trust Territories indiscriminately. Having regard to local conditions, the Council might well decide that one Territory should be visited at more frequent intervals than another. His delegation therefore proposed that sub-paragraph (d) should be deleted.

28. As the representative of Iraq had pointed out, the proposal contained in sub-paragraph (f) was not practicable. Visiting missions should be left the greatest possible degree of latitude in dealing with petitions. His delegation accordingly proposed that the beginning of sub-paragraph (f) should be replaced by the following text:

"Continuing to include in the terms of reference of each visiting mission the preliminary examination on the spot, when called for, of the petitions submitted to it, and . . ."

29. Mr. UDOVICHENKO (Ukrainian Soviet Socialist Republic) considered the text under discussion satisfactory, and thought it important that it should be adopted in the form of a resolution. He supported the Cuban proposal for a preamble (A/C.4/L.91) and shared the view that the phrase "all the problems", in paragraph 8 of the Sub-Committee's text, should be altered to read "certain problems".

30. With respect to sub-paragraph 10 (d) of the Sub-Committee's text, he referred to the opinion ex-

pressed by the representatives of the United Kingdom and Belgium, to the effect that the sub-paragraph should be either omitted or reduced in scope, and that, in effect, it would be desirable to extend the interval between visits from three years to five years. The Ukrainian representative could not agree to the adoption of such a procedure, and would vote against it if it were formally proposed. He felt that it would establish an undesirable precedent, which might even lead, eventually, to the submission of reports by the Administering Authorities of the Trust Territories less frequently than at present, on the grounds that there was insufficient progress to justify an annual report. Moreover, the members of the Fourth Committee should have as much official information as possible at their disposal; if no further visiting missions went into the field until 1953, that information would be substantially reduced. Finally, the visiting missions should exert a strong moral influence upon the Administering Authorities and the populations of the Trust Territories, encouraging the former to increase their efforts toward development of the Territories, and assuring the latter of the continuing interest of the Trusteeship Council. For those reasons, it was essential that such missions should visit the Trust Territories as frequently as possible.

31. The Ukrainian delegation shared the view of the representative of Iraq that the membership of the visiting missions should on no account be reduced, in view of the danger that two irreconcilable points of view might produce an incomplete and unsatisfactory report.

32. Mr. LIU (China) fully supported the views of the representatives of Iraq and the Dominican Republic, who, on the basis of their experience, had declared section C of the Sub-Committee's draft to be entirely superfluous. The Chinese representative pointed out that the matters dealt with in the text under consideration were mainly technical questions, involving problems of personnel, finance, and arrangements with the Administering Authorities, all of which could be dealt with far more efficiently by the Council than by the Fourth Committee. Furthermore, all the points set forth in paragraph 10 had already been exhaustively discussed by the Council, which had taken certain decisions in that connexion. The Chinese delegation was therefore convinced that the draft resolution could serve no useful purpose, and would abstain from voting on it.

33. Mr. S. RAO (India) had been greatly impressed by the practical considerations mentioned by the representatives of Iraq, the Dominican Republic and Belgium, and felt that the argument against including too many detailed recommendations in the draft resolution carried considerable weight. A resolution couched in general terms, and embodying some of the points mentioned during the current debate, might, however, be useful. The Indian representative therefore had certain amendments to suggest, subject to his subsequent examination of the Belgian amendments when the English text of the latter was available.

34. Mr. Rao would support the Cuban draft preamble (A/C.4/L.91), with the amendment proposed by the United Kingdom. He proposed the deletion of paragraph 8 of the Sub-Committee's text, which he considered superfluous. Paragraph 9 could then be amended

in such a way as to cover implicitly some of the more important matters set forth under paragraph 10; he suggested the following wording:

"Considers that the commencement in 1951 of a second series of visits to the Trust Territories presents an opportunity for a review of the organization and of methods of functioning of visiting missions".

35. Finally, he would revise paragraph 10 to read:

"Requests the Council accordingly to undertake such a review in order to ensure that the most effective use will be made in future of this important function of the General Assembly and of the Council and to include the results of the review in its next report to the General Assembly".

36. The Indian delegation would present its suggestions formally as amendments after it had had an opportunity to study the amendments put forward by the Belgian delegation.

37. Mr. PEREZ CISNEROS (Cuba) affirmed that the purpose of the Norwegian and Cuban delegations in submitting their original draft resolution (A/C.4/L.74), on which the Sub-Committee's text had been based, had been to preserve the prestige of the entire Trusteeship System; they had not wished in any way to criticize the efforts of the visiting missions and the Administering Authorities. From the beginning, the Cuban delegation had been concerned lest the pressure of time and the rigidity of their schedules might prevent the visiting missions from succeeding fully in their tasks. It was now apparent, from the reports of the visiting missions, that, owing to lack of time, they had often been unable to assess fully the efforts and achievements of the Administering Authorities in the Trust Territories; nor had they been able to give sufficient attention to the complaints of the local populations as set forth in the large volume of petitions received. Nevertheless, the visiting missions were to be commended for their sincere and faithful efforts to accomplish the tasks set them; and gratitude was due to the Administering Authorities for the unfailing assistance they had accorded the members of such missions.

38. The Cuban representative had no objection to the amendment proposed by the United Kingdom to the second paragraph of the draft preamble (A/C.4/L.91), but wished to make clear his interpretation of the words "at times agreed upon with the Administering Authority", which the United Kingdom wished to have added to the paragraph. That phrase should not be interpreted as meaning that the Administering Authorities were free to decide on the frequency of visits to the Trust Territories, a decision which could be taken only by the General Assembly or the Trusteeship Council. As was clearly indicated by the texts of the various Trusteeship Agreements, the Charter's provision merely referred to the determination of convenient dates for the visits, once their frequency had been decided upon by the Assembly or the Council. The Cuban delegation would therefore accept the amendment, provided its adoption did not prejudice the retention of sub-paragraph 10 (d) of the Sub-Committee's text.

39. Sub-paragraph 10 (d) was of the greatest importance, and the Cuban delegation could not agree to its

deletion, as suggested by the United Kingdom delegation; it was essential that the frequency of visits should not be diminished. As regards the remainder of sub-paragraph 10 (d), suggesting a possible reduction of the membership of missions, that provision had been based upon financial considerations; it might be possible to reduce the secretariat assigned to the missions without reducing the number of members. In any case, he would not insist upon retention of the phrase.

40. The Cuban representative was at a loss to understand the objections raised to sub-paragraph 10 (a). It seemed to him logical that the General Assembly should endorse an idea which had already received widespread support in the Council. The text was merely an affirmation by the Assembly that the defects in the reports of the visiting missions could be attributed to inexperience and lack of time, and did not reflect in any way upon the missions themselves.

41. With regard to sub-paragraph 10 (c), he was grateful to the Belgian representative for his interpretation, which was a more correct one than that of the representative of Iraq. It was important, moreover, to retain sub-paragraphs 10 (e) and 10 (f), in order to combat any tendency on the part of the Council to remove the matters in question from the terms of reference of future visiting missions because of a possible lack of time at their disposal.

42. The representative of Cuba could accept the Belgian proposal to insert the words "when called for" after the words "on the spot", in sub-paragraph 10 (f). He could not express an opinion on the other Belgian amendments until he had had an opportunity to study them further.

43. Qazi Mohammed ISA (Pakistan) was in general agreement with the provisions of the Sub-Committee's text. As regards sub-paragraph 10 (d), his delegation could not support any provision tending to diminish the frequency of visits. The psychological effect of visiting missions upon the peoples of the Trust Territories was of the greatest importance, and for that reason, as well as because of the importance of their investigations, such missions should visit the Territories as frequently as possible. Nor could his delegation agree to any reduction in the membership of future missions; it was important that representatives of as many countries as possible should have an opportunity to familiarize themselves with conditions in the Trust Territories. If any reductions were necessary they should be made in the staff accompanying the missions.

44. Mrs. FIGUEROA (Chile) gave a brief summary of a series of amendments which her delegation would submit in writing. With respect to the preamble, she felt that the first paragraph of the Cuban draft preamble (A/C.4/L.91) was unnecessary and could be omitted. Paragraph 1 of the Chilean proposal would consist of the second paragraph of the Cuban draft preamble, with the amendment of the United Kingdom delegation. As its paragraph 2, her delegation would retain paragraph 7 of the Sub-Committee's text, as it stood. Next, as paragraph 3, she would retain the first clause of paragraph 8 of the Sub-Committee's text, altering the remainder of paragraph 8 to read: "Since the time during which they remained in each of the Trust Territories did not per-

mit them to make a thorough study of some of the problems existing in the Trust Territories". The Chilean delegation felt that that modification would take account of the element of time which was the most important point emphasized in sub-paragraphs 10 (a), (b), (c) and (d). As its paragraph 4, the Chilean delegation endorsed the Indian representative's amendment to paragraph 9 of the Sub-Committee's text. Finally, as the operative part of its proposal, the delegation of Chile would support a text such as that proposed by the Indian delegation as a replacement for the first part of paragraph 10 of the Sub-Committee's text, that would add the idea that the Council should take into consideration the observations and suggestions made on the subject during the discussion of the matter at the fifth session of the General Assembly.

45. Mrs. Figueroa shared the view expressed by several members of the Committee that the General As-

sembly might make general recommendations to the Council on the conduct of its work, but that it was inadvisable to make detailed or explicit recommendations.

46. In response to a point of order raised by Mr. S. RAO (India), the CHAIRMAN recalled that the Committee had already agreed to accept the text under consideration, section C of the Sub-Committee's report, as a basis for discussion. He now requested the Rapporteur to present the text in the form of a draft resolution, for final consideration at the Committee's following meeting. All proposals made during the current meeting, and any further proposals, should be submitted in writing in the meantime, and would be considered and voted upon as amendments to that draft resolution.

The meeting rose at 1.35 p.m.