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STANDING COMMITTEE ON PETITIONS

SUMMARY RECORD OF THE EIGHTY-SIXTH MEETING

Held at Headquarters New York
on Wednesday, 8 July 1953 at 10.40 a.m.

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PRESENT:

Chairman:

Mr. QUIROS

El Salvador

Members:

Mr. SCHEYVEN

Belgium

Mr. SCOTT

New Zealand

Mr. ZONOV

Union of Soviet Socialist
Republics

Mr. McKAY

United States of America

Secretariat:

Mr. RANKIN

Secretary of the Committee

Mr. BERENDSEN

Assistant Secretary of the
Committee

PETITIONS CONCERNING THE TRUST TERRITORY OF THE PACIFIC ISLANDS:
DRAFT FORTIETH REPORT (T/C.2/L.48)

Section I

The draft resolution in section I was adopted by 2 votes to none, with 2 abstentions.

Section II

The draft resolution in section II was adopted by 2 votes to 1, with 1 abstention.

Sections III, IV and V

The draft resolutions in sections III, IV and V were adopted by 2 votes to none, with 2 abstentions.

Section VI

The draft resolution in section VI was adopted by 2 votes to 1, with 1 abstention.

Section VII

Mr. SCHEYVEN (Belgium) wondered whether paragraph 1 of the operative part of the draft resolution in section VII was appropriate, in view of the fact that, according to the Administering Authority's written observations and the Special Representative's verbal comments, the women of the Territory could be appointed to the judiciary.

The CHAIRMAN did not think that the paragraph implied that women could not be appointed to the judiciary. It merely expressed the hope that the Administering Authority would encourage in appropriate cases the election or the appointment of women to the judiciary in Palau.

Mr. McKAY (United States of America) said that Mr. McConnell, Assistant High Commissioner for the Trust Territory of the Pacific Islands, who as Special Representative had spoken before the Committee, was unable to attend the present meeting but had intimated that he had no objection to the draft resolution as it stood.

The draft resolution in section VII was adopted by 3 votes to none, with 1 abstention.

Section VIII

The draft resolution in section VIII was adopted by 2 votes to none, with 2 abstentions.

Section IX

The draft resolution in section IX was adopted by 2 votes to 1, with 1 abstention.

Sections X and XI

The drafts resolutions in sections X and XI were adopted by 2 votes to with 2 abstentions.

Section XII

The draft resolution in section XII was adopted by 2 votes to 1, with 1 abstention.

Section XIII

The draft resolution in section XIII was adopted by 2 votes to none, with 2 abstentions.

Section XIV

The draft resolution in section XIV was adopted by 2 votes to 1, with 1 abstention.

Mr. ZONOV (Union of Soviet Socialist Republics), explaining his vote on the various draft resolutions contained in document T/C.2/L.48 which the Committee had just examined, said that his delegation had voted against those which referred to the land question.

The USSR delegation was not satisfied with the measures suggested in that connexion and considered that the Council should draw the Administering Authority's attention to the urgency of the matter and invite it to reach a rapid solution in the interests of the inhabitants.

Mr. McKAY (United States of America) recalled the Administering Authority's written comments and the Special Representative's statements before the Committee on the subject.

The CHAIRMAN proposed that the Administering Authority should be invited to supply information on any steps it took as a result of the Council's recommendations on the petitions in sections VII, VIII, XII and XIV of the draft report.

It was so decided.

The fortieth draft report of the Standing Committee on Petitions was adopted as a whole by 2 votes to none, with 2 abstentions.

PETITIONS CONCERNING THE TRUST TERRITORIES OF TOGO LAND UNDER BRITISH ADMINISTRATION AND TOGO LAND UNDER FRENCH ADMINISTRATION: DRAFT THIRTY-EIGHTH REPORT (Conference room paper No. 37)

At the suggestion of Mr. McKAY (United States of America), Mr. RANKIN (Secretary of the Committee) suggested that paragraph 1 of the operative part of the draft resolution should be redrafted as follows:

"Notes that the question of the unification of the two Trust Territories was discussed at length in the special report of the United Nations Visiting Mission to Trust Territories in West Africa (1952) on the Ewe and Togoland unification problem, and is covered by General Assembly

Section XV

The draft resolution in section XV was adopted by 2 votes to none, with 2 abstentions.

Section XVI

Mr. ZONOV (Union of Soviet Socialist Republics) pointed out that many of the draft resolutions included in the document before the Committee mentioned resolutions on which the Council had not yet reached a decision. That was so in the case of the draft resolution in section XVI. It did not seem appropriate to include any such reference, for it implied the presumption that the Council would adopt the recommendations in question.

The CHAIRMAN said that he was convinced that the Council would adopt a resolution on each of the questions raised. If by chance it did not do so, the paragraphs in which the petitioners' attention was drawn to a recommendation by the Council would be deleted by the Council itself when it examined the present draft report.

Mr. RANKIN (Secretary of the Committee) thought that there was no doubt that the Council would adopt recommendations on the questions mentioned, especially the question of education, for the Drafting Committee of the Council had already drafted one.

Mr. ZONOV (Union of Soviet Socialist Republics) noted the Secretary's explanation and the Chairman's statement and, in particular, the fact that the paragraphs in question would be deleted or amended if the Council did not adopt a resolution or adopted different resolutions on the land and education questions. He would therefore take part in the vote, on that condition.

The draft resolution in section XVI was adopted by 2 votes to 1, with 1 abstention.

resolution 652 (VII) of 20 December 1952, on that question; and that the question of the development of the Volta River Basin was discussed in the report of the Visiting Mission on Togoland under British Administration."

The draft resolution on petitions T/PET.6 and 7/1 and 3, as amended, was adopted by 3 votes to none, with 1 abstention.

GENERAL PETITIONS: DRAFT THIRTY-NINTH REPORT (T/C.2/L.46)

Section I - Petition from the International Abolitionist Federation
(T/PET.GENERAL/21)

Mr. RANKIN (Secretary of the Committee) said that the word "believed" in the last sentence of paragraph 8 should be replaced by "stated".

Mr. ZONOV (Union of Soviet Socialist Republics) suggested that the words "in so far as may be appropriate to the circumstances of the Territory" paragraph 1 of the operative part of the draft resolution should be deleted.

Mr. SCOTT (New Zealand) could not accept that amendment, which would make the paragraph superfluous in cases where the practices to which the petition referred did not exist, and inappropriate in cases where there already existed legal provision for the suppression of such practices. It was clear that the Administering Authority could not fail to study the facts before applying an international convention.

Mr. ZONOV (Union of Soviet Socialist Republics) proposed that the words "with the exception of those who have submitted observations on the petition" in paragraph 2 of the operative part of the draft resolution should be deleted. If observations had already been drafted it would be a simple matter to incorporate them in the annual report of the Administering Authority and there was no good reason for providing for that particular exception.

Mr. SCOTT (New Zealand) could see no point in inviting Administering Authorities to repeat their explanations: he would therefore vote against that last amendment.

Mr. MCKAY (United States of America) proposed that further discussion on the draft resolution should be deferred until the following day.

It was so decided.

PETITIONS CONCERNING THE TRUST TERRITORY OF TANGANYIKA: DRAFT FORTY-FIRST REPORT
(T/C.2/L.44)

Section I

The draft resolution in section I was adopted unanimously.

Section II

Mr. SCOTT (New Zealand) thought that it might be specified in paragraph 1 of the operative part of the draft resolution that it was the local population which was showing "growing dissatisfaction" with the petitioner's conduct as a chief.

Mr. RANKIN (Secretary of the Committee) recalled that at the seventeenth meeting of the Committee the representative of the United Kingdom had declared that the dissatisfaction was general and that the conduct of the petitioner had been condemned both by the Administration and neighbouring chiefs and by the local population.

Mr. SCOTT (New Zealand) withdrew his proposal.

The CHAIRMAN thought that nevertheless the dissatisfaction of the local population could be mentioned in paragraph 2 of the draft resolution and he requested the Secretary to complete the paragraph in that sense.

The draft resolution in section II was adopted by 4 votes to none, with 1 abstention.

Section III

The draft resolution in section III was adopted by 4 votes to none, with 1 abstention.

Section IV

The draft resolution in section IV was adopted unanimously.

Section V

With reference to section V, Mr. MCKAY (United States of America) observed that the drafting of paragraph 7 was not clear. It might perhaps be well to consult Mr. Mathieson, the Special Representative of the United Kingdom, with a view to redrafting the paragraph.

Mr. RANKIN (Secretary of the Committee) pointed out that the most important thing was to know what had been the nationality of the petitioner in 1939. The Administering Authority was continuing its efforts to settle that question.

Mr. SCHEYVEN (Belgium) pointed out that Mr. Gustav von Heyer had returned to Danzig in 1940 of his own accord, at a time when that city had been occupied by German forces.

Mr. RANKIN (Secretary of the Committee) said that according to the Administering Authority it was a matter of deciding what had been the nationality of the petitioner at the time of the declaration of war, and not in 1940.

Mr. SCOTT (New Zealand) proposed that a sentence mentioning the efforts being made by the Administering Authority to decide the nationality of the petitioner should be added after paragraph 1 of the draft resolution.

Mr. McKAY (United States of America) thought that the Committee could decide either on the proposal of the New Zealand representative or directly on the original text of the resolution.

Mr. ZONOV (Union of Soviet Socialist Republics) thought that it would be preferable to postpone further examination of the resolution until the Committee had heard the opinion of the Special Representative of the United Kingdom. Alternatively, a decision could be taken at once on an abbreviated text

Mr. SCOTT (New Zealand) supported the second proposal of the representative of the USSR and proposed that paragraphs 1 and 2 of the draft resolution should be replaced by the following phrase: "Decides that, in the present state of complexity as to the application of the principles of international law involved, no recommendation by it is necessary".

It was so decided.

The CHAIRMAN, referring to the United States representative's observation on the drafting of paragraph 7, thought that the original text could be retained if the Special Representative of the United Kingdom agreed to it.

The draft resolution in section V, as amended, was adopted unanimously.

Section VI

The draft resolution in section VI was adopted by 4 votes to none, with 1 abstention.

The draft report as a whole was adopted by 4 votes to none, with 1 abstention.

PETITIONS CONCERNING THE TRUST TERRITORY OF TOGOLAND UNDER BRITISH ADMINISTRATION:
DRAFT FORTY-SECOND REPORT (T/C.2/L.47)

Section I

The draft resolution in section I was adopted by 4 votes to none, with 1 abstention.

Section II

Mr. McKAY (United States of America) thought that the word "impose" in sub-paragraph 1 (b) of the draft resolution was unsuitable and should be replaced by the word "install".

It was so decided.

The draft resolution in section II, as amended, was adopted by 4 votes to none, with 1 abstention.

Section III

Mr. McKAY (United States of America) said that the word "recommends" in paragraph 1 of the draft resolution was too strong; he proposed that it should be replaced by the word "considers".

It was so decided.

The draft resolution in section III, as amended, was adopted.

Section IV

The draft resolution in section IV was adopted by 4 votes to none, with 1 abstention.

Section V

The draft resolution in section V was adopted unanimously.

Section VI

The draft resolution in section VI was adopted by 4 votes to none, with 1 abstention.

The draft report as a whole was adopted by 4 votes to none, with 1 abstention.

The meeting rose at 12.40 p.m.