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TRUSTEESHIP COUNCIL

VERBATIM RECORD OF THE TWENTY-SECOND MEETING OF THE THIRD SESSION

Lake Success, New York
Monday, 12 July 1948, at 2.30 p.m.

President:

Mr. Liu CHIEH

China

The PRESIDENT: I declare the twenty-second meeting of the third session of the Trusteeship Council open.

ADOPTION OF THE AGENDA

The agenda was adopted without discussion.

EXAMINATION OF ANNUAL REPORTS: REPORT ON THE ADMINISTRATION OF TANGANYIKA FOR THE YEAR 1947 (documents T/170, T/170/Add.1, T/170/Add.2, T/170/Add.3, T/W.1, T/W.1/Corr.1, T/W.2, T/W.3, T/W.4, T/W.5, T/W.6 and T/W.6/Corr.1).

The PRESIDENT: If no representative wishes to speak at this moment, I should like to make a few brief observations on behalf of the Chinese delegation.

The other day we had an opportunity to examine the Report on Tanganyika, and I feel that the question of inter-territorial organization transcends in importance the other problems raised in the Report. If I am to discuss this question at greater length, it is because I feel that it is not only a question of utmost importance to Tanganyika itself, but it is a question which is fundamental to the operation of the entire trusteeship system.

With regard to this question, I had occasion the other day to say a few words in support of the point of view expressed by the representative of the United States as to the desirability "of the Administering Authority informing the Trusteeship Council before implementing any plan it has formed for establishing a union or federation with other territories."

In this connection, it may be of interest to the members of the Trusteeship Council to recall the statement made in the Council of the League of Nations by the Secretary of the State of the United Kingdom Government, Mr. Henderson, on 6 September 1929 -- I shall quote from the record of the Permanent Mandates Commission -- who declared that

"He was able to give the assurance that when his Government had come to a decision as to what, if any, action should be taken on the lines of the Hilton-Young Report, this decision would be at once communicated to the Permanent Mandates Commission which

would then, before the decision was put into effect, have the opportunity of considering it and making any observations it wished to make upon the decision."

It is now argued that the present inter-territorial organization has nothing whatsoever to do with the previous plans for closer union which was formally abandoned by the British Government in 1931. In the annual report on Tanganyika, which is before us, and in Colonial Paper 210, we find statements to this effect.

However, there seems to be many similarities between the former plans of closer union and the present scheme of inter-territorial organization outlined in Colonial Paper 210.

The general idea -- if I am to compare the present plan with the Hilton Young plan -- and the subsequent Wilson Report was to provide a central authority for the three territories. The main feature was the appointment of a High Commissioner who would exercise complete control, legislative and administrative, over certain defined economic services, such as transport, customs, defence and research, assisted by a Central Council, with legislative powers, in so far as these transferred subjects were concerned; all other matters were to be left to the local Governors, and the respective legislatures. This scheme was known as closer, or political union.

Let us now look at Colonial Paper 210. Instead of a High Commissioner over and above the three Governors, we have a High Commission composed of the three Governors. Instead of a Central Council, we have an East African Central Assembly. In both cases, the executive and legislative organs exercised complete control over certain defined and scheduled services. It has been asserted that Colonial Paper 210 does not involve closer political union, but I fail to see such difference between the present plan of inter-territorial organization, and the former plan of closer political union as to justify that assertion.

If we examine the reactions of the Permanent Mandates Commission to plans submitted by the Mandatory Power for closer union, we note that the general feeling was one of concern over the compatibility of the scheme with the terms of the Mandate. The Permanent Mandates Commission was unanimous in its opinion that it was doubtful whether closer political

union was compatible with the Mandate, Article 10 of which is almost identical with Article 5 of the present Trusteeship Agreement. The majority of the Permanent Mandates Commission adopted a resolution at its twenty-third session in 1933, in which it is stated that:

"it considers, due regard being had to the provisions of Article 10 of the Mandate, that any measures tending to the de facto establishment of a closer union should be avoided" and

"that the Governors' Conference should not assume executive responsibilities which would unduly restrict the necessary autonomy of the Mandated Territory."

The considerations of the members of the Permanent Mandates Commission which gave rise to some uneasiness and concern over that matter were very similar to what has been recently expressed in the Trusteeship Council by some members.

According to the terms of the Mandate, an administrative union was permissible.

"provided that the measures adopted do not infringe the provisions of the Mandate."

Under Article 5 of the Trusteeship Agreement the Administering Authority may form an administrative union with adjacent territories:

"if such a union is not inconsistent with the basic objectives of the International Trusteeship System and the terms of the Agreement."

Then as now, it is necessary to be cautious when examining a new scheme and its implications. Many members of the Permanent Mandates Commission were concerned that measures like the institution of a Conference of Governors, and the establishment of common services might lead by imperceptible stages to a situation contrary to the Mandate.

We are faced with the same question now, and the representative of Mexico has very ably explained his concern over the implications of Colonial Paper 210.

I shall now make a few remarks on Colonial Paper 210. It is, first of all, worth noting that Tanganyika is the only African Trust Territory which, according to the Trusteeship Agreement, is not to be administered as an integral part of another territory because, as the United Kingdom representative stated in the Fourth Committee, on 9 December 1946:

"it is a large area which can stand on its own."

These are the words of the United Kingdom representative. Nevertheless, we are now confronted with a scheme under the terms of which many common services with two non-Trust Territories are created, where there are common budgets, common executive and legislative bodies, which, to a certain extent, appear to blur and obliterate the distinct personality and individuality of that territory.

In examining this whole problem, the Trusteeship Council should be guided by the provisions of the Charter with special regard to the paramountcy of the interests of the inhabitants. The Council is confronted not only with a legal problem but also with a political, economic, social and a moral problem. The Council should ask itself: to what extent is the scheme outlined in Colonial Paper 210 conducive to the promotion of the political, economic, social and educational advancement of the inhabitants of Tanganyika and to their progressive development towards self-government or independence?

It is doubted that the Trusteeship Council, on the basis of the information it now has, is in a position to form a definite opinion on all these problems. The Council should consider all the ramifications

of the scheme and its compatibility with the objectives of the International Trusteeship System as laid down in Article 76 of the Charter.

The Trusteeship Council is primarily concerned with the interests of the Trust Territory and its inhabitants. The new scheme, however, places the legislative power and executive responsibility for certain measures on organs which are beyond the supervision of the Trusteeship Council. It may happen that legislation enacted by the Central Legislative Council may very well be in the interests of East Africa as a whole. But this does not necessarily mean that the particular interests of the Trust Territory are being taken into consideration. The measures taken by the executive or legislative organs in respect of common services may only reflect a compromise of conflicting interests of the three territories involved. It is possible that certain communities outside the Trust Territory have special interests which may prevail in adopting certain policies which might be prejudicial to the special interests of Tanganyika.

The members of the Trusteeship Council may also be reminded that the scheme was approved in the Legislative Council of Tanganyika without granting to the African members their request for a postponement, so that they might consult with their peoples. Therefore, their views were not taken into consideration. This should be a matter of some concern to the Trusteeship Council.

In conclusion, it may be said that the Trusteeship Council must continue to be seized with this matter until all these questions which have been raised have been clarified to the satisfaction of the Council.

It is, therefore, suggested that the Trusteeship Council, in its report to the General Assembly, should point out the fact that it had not been granted an opportunity to discuss and examine, together with the Administering Authority, the scheme for an inter-territorial organization before it had been put into effect.

In addition, it is also suggested that the Trusteeship Council postpone final judgment on the matter and request further information from the Administering Authority.

It would be useful, I think, if the Visiting Mission to East Africa might be instructed to devote some time to this problem. If necessary, the Mission might extend its stay in Tanganyika in order to consider this problem.

The report of the Visiting Mission, together with the additional information supplied by the Administering Authority in the next annual report, may then enable the Trusteeship Council to consider this matter more thoroughly and express a final opinion on this scheme.

Mr. NORIEGO (Mexico)(Interpretation from Spanish): I believe that it is not useless to persist in this matter of the administrative union, since we have been dealing with that very step in our debates during the last few days. I should like to emphasize the statement made by the President just now, and I should like to say a few words concerning this particular item. The problem seems to me to assume outstanding importance for the Trusteeship Council because this movement of absorption of trust territories is not a phenomenon of which a single one of the administering powers is the author, but rather it seems to be a tendency which has become generalized. If this tendency continues, we will find ourselves in a situation where we may have to even change the name of this Council, where we may even modify the Charter or take some necessary step so that we may be in accordance with reality because by its very mechanism, the trusteeship system is quite defective so far as the possibilities of operation and good results are concerned. With the administrative union, we are going to find ourselves with greater problems so far as the fulfilment of the possibilities of the United Nations towards the inhabitants of these territories are concerned. Thus, in order to be in accord with the real situation and in order ^{to} fulfil our duty, we will have to change the whole system fundamentally, and certainly we will not attain the objectives of the United Nations under the trusteeship system.

We know very well that administrative union extinguishes the actual political personality, the legal personality, and the administrative personality of these territories, which are very weak, but, nevertheless, which form a hope for improvement and represent a possibility for autonomy and independence on the part of the inhabitants of these territories. Legally, with this administrative union we would find that the Council could not act. On one occasion, I had an experience in a

sub-committee of the Trusteeship Council. I attempted to find out something with regard to the legal status of these territories, but I was answered by the words "This is a matter for the sovereignty of my country, and here you cannot ask questions." How will the Trusteeship Council act in the future about administration? How shall we know when we have reached the limit which moves at the will of those persons who have to give answers to these questions? To where does this will extend which keeps us from penetrating into the territory under trusteeship systems which are tending to become consolidated? How will these territories function under the trusteeship system? What will be the difference in their administrations if the same heads are going to manage them and if the same laws are going to be imposed in the trust territories as in the colonial territories? How is the Trusteeship Council going to distinguish between them, or is it going to be left to the administering authority to say "You can criticize this line" or "you cannot criticize these actions."

We know very well that the trusteeship system is not going to be extended to the colonial territories, but rather the contrary; the colonial system will be applied to the trust territories. With the application of these same colonial methods, with the administrative and economic absorption, it is logical and absolutely natural that the natives will lose all hope -- absolutely all hope -- of future independence or autonomy. Although this administrative union is permissible according to the trusteeship agreement, it seems that it has been forgotten that this is conditioned so as to safeguard the trusteeship system. We can understand very well why this procedure has begun to develop. Of course the administering authorities have no sovereignty over the trust territories; on the other hand, they have over the colonial territories. The process of absorption will reach such a degree that the Trusteeship Council will turn out to be little more than a symbol so far as exercising any influence upon the territories is concerned.

I wonder if there is any open opposition in the United Nations to the annexation of the territory of South-West Africa to the Union of South Africa. If we have never tried to find out whether the majority in the General Assembly would refuse any movement of annexation, how are we going to justify these administrative unions which, in fact, are annexations? The non-administering authorities, particularly those which do not occupy the position of a great power, have a double concern in this matter. One of these concerns is our feeling for humanity and this possibility which the United Nations has given to us of supervising the destiny of the natives of these territories. The second concern also affects our feeling for humanity because in this concern we include our own nationals. In those countries which supply similar products to those supplied by the trust territories, we find ourselves faced with the fact of the gravest competition because of the economic policy followed in these territories in the use of very cheap labour. This has great importance because the standards of living of the workers in Latin America cannot be raised because of the lack of equilibrium between them and the workers living in Asia or Africa.

For this reason, the delegation of Mexico insists on the appropriateness of the administering authorities, before attempting if not to kill at least to put asleep for a very long time the trusteeship system, meditating carefully upon the step which they are about to take. I do not believe that the non-administering group of countries represented here should accept the proposals when the administering authorities present their very careful and very beautiful plansⁱⁿ which they would demonstrate all the advantages of an administrative union. They are not acceptable because we know that as a result inevitably these territories would fall under the colonial system. Although the colonial system was painted last

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year by one of the representatives of the administering authorities as a sort of paradise so beautiful that I wondered why, if the colonial system is so wonderful, these countries which have been colonies do not ask to become colonies again.

If this system was so wonderful, why do they not want to go back to it and become colonies again?

I have had no experience as an administrator of colonies, but my country had the experience, for three hundred years, of being a colony and, after about one hundred thirty years of independence, I can tell you that Mexico owes many of its great deficiencies to the colonial system under which it suffered.

I conclude with the reservation that I may be allowed to speak later concerning the Report on Tanganyika.

Mr. TSARAPKIN (Union of Soviet Socialist Republics)(Interpretation from Russian): I should like, first of all, to utilize just a minute to reply to Mr. Ryckmans and Sir Alan Burns.

I accept Mr. Ryckmans' proposal. I should be very pleased if the statement which I made this morning were translated into the native languages and disseminated among the indigenous inhabitants of Ruanda-Urundi. I should welcome this step; I think it would be a very good step. I repeat: I accept Mr. Ryckmans' proposal and firmly hope that my statement will reach the indigenous inhabitants.

In objecting to certain points of view which I expressed this morning, Mr. Ryckmans referred to the fact that there had been incorrect data in my speech, with particular reference to my statement that the progress of education in Ruanda-Urundi had not been such as to deserve any praise. Mr. Ryckmans stated that he himself personally knew many indigenous inhabitants who were educated. But that in itself testifies to the small quantity of such people -- if Mr. Ryckmans is able to know them all.

Mr. RYCKMANS (Belgium)(Interpretation from French): I am afraid there was an error in the interpretation of my remarks.

The PRESIDENT: I should like to remind the members of the Council that the Report on Tanganyika is before the Council and not the Report on Ruanda-Urundi. Perhaps Mr. Tsarapkin is leading up to the Report on Tanganyika.

Mr. TSARAPKIN (Union of Soviet Socialist Republics)(Interpretation from Russian): I shall not take longer than half a minute. Of course, my speech is not on Ruanda-Urundi. I have just a few more words with regard to the subject of colonial regimes, by way of introduction. This is a subject which will have a bearing on the statement which I have to make on Tanganyika. I cannot pass in silence the remarks of Mr. Ryckmans and Sir Alan Burns to the effect that a colonial regime is not so bad; that it is the ideological attitude of the USSR representative which is at fault.

All I want to do is to point out the following: Sir Alan Burns was the Governor of the Gold Coast, and Mr. Ryckmans was the Governor of the Belgian Congo. I should like to remind Mr. Ryckmans of the situation which existed in the Congo in the thirties, when the whole world was aghast at the cruelties which existed there. I do not know whether Mr. Ryckmans was Governor there at that time, but the world still remembers what went on in the Belgian Congo in the thirties. That is an illustration of the colonial regime. Not so long ago there was a revolt in the Gold Coast -- the same Gold Coast of which Sir Alan Burns was Governor -- a revolt of the indigenous inhabitants. Was that also caused by the wonderful colonial regime of which the Belgian Congo is an illustration?

We also heard Mr. Simon, the Governor of Ruanda-Urundi, state that the greater majority of the indigenous inhabitants have no property whatsoever; that all they have is a hut to live in and a basket of food to last just a day. I am merely quoting the Governor of Ruanda-Urundi, whom we heard two weeks ago.

And now here are your words, Mr. Ryckmans -- the words you used when you stood up to defend the colonial regime and to defend the canings which take place in Ruanda-Urundi. You said that to imprison a native is to give him a rest, whereas to give him a caning makes him feel his punishment. Your words, Mr. Ryckmans, your own words, characterize the colonial regime and describe it.

And what about the declarations which were issued in May, in July and in August of last year by the Egyptians on the subject of the situation in Egypt with regard to Egypt's dispute with the United Kingdom? What about the Indians, who only recently received their independence? In the Fourth Committee of the General Assembly, they characterized the colonial regime -- specifically the British colonial regime which existed in India -- very well. What about Malaya and Indonesia? We have heard about the results of colonial regimes there.

Sir Alan BURNS (United Kingdom): If we are going to wander around the world, will I be permitted to criticize certain countries that are not either trust territories or colonies -- because I am quite ready to do so?

The PRESIDENT: I have already reminded the Council that the subject matter before the Council is Tanganyika. Therefore I do ask that any comments should be confined to the subject under discussion.

If I did not at once make this point, it was because some of these territories were mentioned by way of reply to a previous statement, and therefore I did not intervene. However, I do ask that representatives should confine their comments to the Report on Tanganyika and should not enter into discussions of other territories, unless those territories have been put under discussion.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) (Interpretation from Russian): I have just one more sentence in reply to Mr. Ryckmans.

He pointed to the fact that the United States was a colony of the United Kingdom. He mentioned this in his defence of the colonial regime. But I must say that was over one hundred and fifty years ago. And the people of the territory which is now the United States hated the British regime to such an extent that they rose up in arms against that colonial regime. That was at the end of the eighteenth century. That is all I have to say on that subject.

Now I shall make my observations with regard to the Report on Tanganyika.

Mr. RYCKMANS (Belgium) (Interpretation from French): If the President will allow me, I should like, before the USSR representative passes on to the question of Tanganyika, to remark that there must have been a mistake in the interpretation of my speech this morning.

I do not exactly remember how the USSR representative quoted me, but I certainly did not say what he attributes to me. With regard to the question of corporal punishment, the USSR representative attributes to me the remarks that prison is a palace when compared with the condition of living of the natives.

I do not think that I employed the word "palace". I said that prison did not have the same significance to a native as to a European.

As to the rations of prisoners, they are certainly higher than the ordinary food of natives who are not in prison. I might add that corporal punishment is not applied by European tribunals in Ruanda-Urundi. I said what could be said in favour of corporal punishment. However, corporal punishment is not applied by European tribunals in Ruanda-Urundi, it is only applied by native tribunals in accordance with native customs. European tribunals do not apply such punishment.

Also, I did not say that the United States is a British colony. It is possible that I said that the United States was a British colony 150 years ago. I should like to tell the representative of the Union of Soviet Socialist Republics that my ignorance of historical matters does not go so far as he apparently believes.

Mr. TSARAPKIN (Union of Soviet Socialist Republics) (Interpretation from Russian): The Report submitted by the United Kingdom Government with regard to the trust territory of Tanganyika, as well as the petitions which have come to the attention of the Trusteeship Council, pose, first of all, the serious political question of the unification of the trust territory of Tanganyika with neighbouring British colonies. The question of the unification of Tanganyika with Kenya and Uganda is beyond the competence of the administering authority and should become the subject of a thorough consideration, with a view to a proper decision, by the Trusteeship Council.

As the Trusteeship Council is well aware, the trend toward unifying trust territories with colonies has ^{not} become manifest only on the part of the United Kingdom. The same trend has been manifested by the Belgian Government. I mentioned that when I spoke on the Ruanda-Urundi Report and the results of such unification with the Belgian Congo. The same trend is manifested by Australia which has placed the trust territory of New Guinea under

the administration of the Australian colony of Papua. The same trend has been shown by both the United Kingdom and French Governments with regard to the trust territories of Togoland the Cameroons.

The course of the discussion of Southwest Africa at the last session of the General Assembly showed clearly the possible results of such unification and shed some light on the ultimate objectives of the administering powers in taking such steps. As is well-known, the Government of the Union of South Africa, ignoring Chapter XII of the Charter of the United Nations which describes the trusteeship system, attempted to annex the adjacent territory of Southwest Africa which was a former mandated territory.

It is also well-known that the Governments which have concluded trusteeship agreements with the United Nations stubbornly tried during the discussion of the texts of such agreements to receive the right of both administrative and other unification of the territories entrusted to them with adjacent colonial areas. In the final count, they were successful in including such appropriate articles in the trusteeship agreements. Nevertheless, the ultimate objectives of the administering powers were clear to everyone during the General Assembly. Therefore, the appropriate articles of the trusteeship agreements also included a condition providing that measures involving such unification were only permissible when such unification was not incompatible -- I emphasize the words -- incompatible with the objectives of the international trusteeship system. It is not necessary to prove that the objectives of the trusteeship system as formulated in Chapter XII of the Charter are primarily to promote the social and economic progress of the peoples living in the trust territories, the educational progress of such peoples and their general advancement toward self-government or independence, having in mind, of course, the free expression of the will of such peoples. Those are the conditions which are mentioned in the trusteeship agreements which I have mentioned. The inclusion of such a statement in the trusteeship agreements has particular

significance when we consider the question of the unification of trust territories with adjacent colonies.

Let us look at the specific situation in Tanganyika. Today, Tanganyika is being administered by and is under the jurisdiction of the general supervisory and executive authorities of three different African territories. Two of these, Kenya and Uganda, are simply colonies. The third, Tanganyika, has a completely different status. It is not a national territory, it is an international territory. Its legal status is international. As the British territories of Kenya and Uganda are the property of the British Crown, Tanganyika, we should keep in mind, is under the jurisdiction of the United Kingdom on the basis of an agreement between the United Nations and the United Kingdom. If the administration of Kenya and Uganda is a matter for the internal jurisdiction of the United Kingdom, surely the administration of Tanganyika is primarily under the control and supervision of the United Nations as is made quite clear in Article 72 of the Charter. It is difficult to envisage the possibility of unifying territories which have completely different legal statuses under a single administration without thereby harming the status of one of such territories. When questions were raised with regard to Colonial Paper 210, from the very beginning of our discussion of the Tanganyika Report, the United Kingdom representatives have made rather definite objections to the discussion of such a document. The reason given has been that the inter-territorial organization of Africa concerns not only Tanganyika but also Kenya and Uganda and that the Trusteeship Council of the United Nations has no right to interfere in the affairs of Kenya and Uganda.

But the British administration has included Tanganyika in the same administration, the same system of services, and the same legislative code. How, then, can the Trusteeship Council -- the organ which is supposed to supervise the British administration of Tanganyika -- really ascertain what is actually happening administratively in Tanganyika, if most of the questions which refer to executive control and administration of Tanganyika are interwoven with the situation in Kenya and Uganda?

If, for instance, Kenya and Uganda were placed under the international trusteeship system and were to become trust territories in the same way as Tanganyika, then the situation would be quite different and we should have to approach it differently. For all practical purposes, however, the legal status of Kenya and Uganda is quite different from that of Tanganyika. The former are British colonies, and neither of them is a trust territory.

I should like now to draw attention to the inevitable results of the new unification. It is well known that this unification has taken place on the basis of colonial paper 210, which is entitled, "inter-territorial reorganization..." and so on. This new scheme provides the same executive authority, headed by a supreme council or executive council, the same legislative code, the same assembly and the same legislature. All these high administrative organs are placed in Nairobi, the capital of Kenya and Uganda. Besides the unification of the executive and legislative organs, provision is also made for the same services to cover all three areas -- economic services, administrative services, labour, culture, transport, finance, taxation, customs levies and a whole series of other services.

We have already felt the results of such a unification here in the Trusteeship Council when we dealt with the Tanganyika Report in detail.

At that time the representative of the administering authority was unable to give us a whole series of data which we requested on the subject of Tanganyika. He explained to the Council that separate statistics did not exist on a number of subjects which are really separate for Tanganyika because at the present time there is only one statistical department for all three territories -- a statistical department which keeps a unified system of statistics not all of which are separable. It is beyond dispute that the absence of a large amount of statistical data on Tanganyika will do considerable harm to the trust territory. The economic and administrative policies of Tanganyika will remain as they are at the present time if the unification with Kenya and Uganda takes place. It is quite reasonable to expect in that event that within a certain period of time Tanganyika will become so closely interwoven administratively and economically with the adjacent colonies of Kenya and Uganda that its independence -- which is the ultimate objective of the trusteeship system -- will become for all practical purposes barely possible of realization if, in fact, it can be realized at all.

The Government of the United Kingdom admits that it has gone a bit too far in introducing the inter-territorial reorganization scheme. From page 128 of the Report it appears to be in a hurry to convince the United Nations that the new system will not lead to the loss of the special status of Tanganyika as a trust territory. This is an empty statement because the unification proposed is still conducive to the economic and political absorption of Tanganyika by Kenya and Uganda. This process of absorption cannot be stopped by any declaration. It is going on at the present time and its crescendo will increase because that is really the final objective of the unification scheme, and one may rest quite assured that when the question of Tanganyika's independence arises the administering power will undoubtedly have at its

disposal a sufficient number of weighty arguments to prove that Tanganyika is organically connected with Kenya and Uganda, that it is an integral part of the economic unit of the whole territory of East Africa, and that the separation of Tanganyika from this economic whole comprising the other East African territories is simply unthinkable. We shall undoubtedly be told that Tanganyika's independence would violate common sense and the laws of logic, that it would threaten the whole economic structure of Tanganyika itself, and so on. At that time, in fact, such arguments will have a foundation, because by then Tanganyika will really have become part of that economic and administrative whole. All three territories will by that time have become a unit -- politically, administratively, and economically.

Already today we can perceive the whole range of arguments which will be advanced at that time and which will be, as I have said, not without foundation. That is what I envisage for the future, and I think that the objective of the administering power with regard to the trust territory is therefore quite clear. The ultimate objective is undoubtedly annexation, whereas the ultimate objective of the trusteeship system is self-government and independence. For this reason the Trusteeship Council must take a very definite stand which will impose upon the government of the United Kingdom the obligation to cease applying the system of inter-territorial organization to Tanganyika since it is incompatible with the tasks and objectives of the trusteeship system, and is conducive to the loss of the special status of the trust territory.

I think that the whole matter is very clear to all of us and the Trusteeship Council will have to pass judgment on the subject.

I wish to say a few words now about the administrative structure in Tanganyika itself. Tanganyika, as we can see from the Report, is being governed by a Governor. The Governor is assisted by the Executive Council. The functions of the Executive Council are limited merely to that of advisory function to the Governor. The ultimate decision on all matters rests with the Governor. The legislative code and the laws are introduced by the Governor, upon the advice and consent of the Council. Nevertheless, the Governor has the right of veto, which he can impose on any law or draft project which may be submitted to the Governor, even after the law is approved by the Council. Therefore, for all practical purposes, the legislative Council itself has no legislative powers, especially if we keep in mind the fact that the British King also has the right to veto the laws approved by the legislature.

The Tanganyika Report also asserted that the policies of the Administering Authority in Tanganyika are such as to ensure to the indigenous population the constantly increasing responsibility in administering the Territory. In the same Report, and almost in the same sentence, it is stated that at the present time, however, no representative organs whatever exist, and there is no system of election. With such a situation, the assertion of the administering power that it is trying to increase the responsibility of the indigenous population in the administration, is an empty statement; it is a mockery. I think that my evaluation is particularly just, because on page 30 of the Tanganyika Report, paragraph 21, which deals with political advancement, and general administration, states that during the last year no new laws have been passed which are designed to further political advancement toward self-government or independence. Further on

in the Report, without winking an eye, the Administering Authority states that there is no necessity and no need for such laws. Page.31 of the Report states that the electoral system in Tanganyika has not yet been established and that, therefore, no electoral laws exist.

That is the picture of political advancement in Tanganyika, administratively speaking. But political advancement of the indigenous population in Tanganyika is hindered by still another fact, the fact that the British administration in Tanganyika has not in any way touched or modified the primitive tribal structure, which I already mentioned when I spoke on the Report of Ruanda-Urundi. The situation in Tanganyika, with regard to the tribal structure, is very similar, but the British administration, I repeat, has not in any way modified the backward tribal structure which completely changes the economic, social and political advancement of the native population and, on the contrary, the British administration has taken all possible measures to strengthen and fortify this backward system.

Page 32 of the Tanganyika Report states that the tribal structure and the tribal social organization have remained untouched and that the influence of the native chiefs have been preserved. The administration has made no attempt to change, even to a small degree, this primitive social structure of Tanganyika; more than that, when a decision was taken to establish the so-called native administration system, the system of indirect rule, which, for a long period of time and with considerable success, has been utilized and is being utilized by colonial powers for administering their territories when a decision was to be made or was being made to establish native administration, the British authorities, at that time, made all possible effort to see to it that that system of native administration would rest on the same foundation as before, namely, on the foundation of strengthening and fortifying this whole institution of native tribal chiefs. No attempts have been

to introduce a popular electoral system and, as the Report quite definitely states, there is no intention to do so in the future either.

I should now like to pass to the economic questions. In Tanganyika, it is a very serious question and it will also ^{demand} serious attention on the part of the Trusteeship Council. The present plans for the economic development of Tanganyika, if we study them attentively, show that these plans have very little in common with the interest and the welfare of the indigenous population, as asserted by the British administration. The plans do not have in view the economic advancement and emancipation of the indigenous population, but actually the economic enslavement of the indigenous population and the economic instability of the country. The results and the objectives are, the exploitation of the indigenous population on the one hand, and of the raw materials on the other, from the viewpoint of the needs of the British Empire.

I do not wish to speak at too great length, but I should like to refer now to a statement ^{made} by one of the British members of the Cabinet, Sir Stafford Cripps, which was made several months ago at the African Governor's Conference in London, where the Governor of Tanganyika was also present. Sir Stafford Cripps formulated the problems and the objectives of African development, in the following manner, from the viewpoint of the Government, that is, and I shall now quote:

"The further development of African resources have the same decisive significance for strengthening Western Europe as the rehabilitation of European productive capacity for the future development and advancement of Africa."

As you see, the African resources, including Tanganyikan resources, in terms of this statement of the plan, will serve not the needs of improving the standard of living of the indigenous population, nor will it help the advancement of the indigneous inhabitants economically, but it is evidently for the purpose of strengthening and improving the situation of western Europe. By way of hypocritical justification of such plans with regard to Africa, as well as for the purpose of confusing public opinion on the subject, the same statement of Sir Stafford Cripps mentions some future benefits which such plans promise to the indigenous population.

According to what right and to what principle should Africa serve as a milking cow for western Europe? Why should Europe enrich itself at the expense of African resources, and at the expense of the blood and sweat of the indigenous population of Africa, which is being exploited for the European welfare? Such economic plans of the United Kingom Government in Africa are a serious threat to the African population.

I shall quote just one more sentence from the statement made by Sir Stafford Cripps, which he made at the same Conference of Governors in London. He warned the African Government as follows:

"The whole future of sterling finance depends on the large-scale development of African resources."

It should be noted that Sir Stafford Cripps is considering that the resources -- when he says "African resources" -- do not belong to the Africans. This sentence alone shows that he wants more intensive exploitation of the native population and native resources of Africa, and that this is now in preparation.

If one were to speak frankly, one would have to state that Africa, with its resources and population, is planned as a sacrifice to the countries of the pound sterling in the fight against the dollar.

In addressing the African Governors, Sir Stafford Cripps again stated:

"The final solution of our present difficulties lies in your hands."

This cannot but be called a direct appeal to the proper executives, designed for still greater exploitation of African resources and the African indigenous population. In still another part of that same speech, Sir Stafford Cripps stated that capital in Africa should be invested in such a way as to be able to extricate or abstract from that investment the greatest possible profit in the shortest possible time. The African colonies, according to Sir Stafford Cripps, can make their own contribution by decreasing their consumer needs and by abetting and serving the needs of western Europe, and the supremacy over the dollar.

What does all this mean, except the fact that the indigenous inhabitants will carry the burden on their backs for quite a long time to come? It is quite obvious that the United Kingdom development plans are made not in the interests of the advancement of the indigenous population, nor for aiding the standard of living of the indigenous inhabitants. These United Kingdom plans are based exclusively on economic, military, and political plans of the British Empire. These plans have as their objective the intensified exploitation of both manpower and natural resources of the African territories, which are under United Kingdom administration. They have as their objective

gaining the support of the colonies of the United Kingdom in its fight against the dollar.

The present plan for the economic development of Tanganyika, as can be seen from what I have already stated, therefore has really nothing in common with the objectives stated in Article 76 (b) of the Charter of the United Nations. Neither do they have anything in common with Article 8 of the Trusteeship Agreement. Therefore, it seems to me that it is quite imperative that the Administering Authority reconsider its whole political policy with regard to the trust territories, as well as its economic plans for the advancement of Tanganyika, and that the real interests of the population should be considered. It is also imperative that in order to realize such plans, the consent of the people of Tanganyika be acquired, as the Charter requires. It is most imperative -- whatever plans are made -- that such plans be based on the free will of the indigenous population, and that such plans not be imposed on the native population by the Administering Authority.

The Report also makes it quite clear that the United Kingdom authorities has worked out grandiose schemes directed at the realization of special economic policy pursued by the United Kingdom Government in Africa. We know of, at least, two such schemes: the ground-nuts scheme and the Sukumba Land development scheme. The United Kingdom administration is imposing both these schemes on the indigenous population of Tanganyika, in spite of the fact that the realization of these plans will vitally affect the social and economic life of the indigenous inhabitants, and in spite of the fact that these schemes will involve considerable migratory movements on the part of the indigenous inhabitants.

In spite of all these factors with regard to the schemes, the United Kingdom administration did not consult the indigenous population, and these schemes are not the result of the freely-expressed will of the indigenous population. The United Kingdom administration obviously forgets that the Trust Territory was transferred under the supervision of the United Nations, and it was to be administered by one of the Member States of the United Nations, not for the purpose of extracting the vital juices from such territory for the bloodstream of the aging metropolitan power.

As a result of ^{the} economic policy pursued by the United Kingdom Government, a large percentage of the indigenous population has nothing whatever to show for its labors, except a dilapidated hut and a basket of food which may last another day.

That is all that is possessed by the great mass of the indigenous population, and even then only that part of the native population which does not include homeless vagrants. Reality has shown that the economic policies pursued by British administration in the trust territory of Tanganyika violates both the Charter and the Trusteeship Agreement. The policies of the British are not policies based on the interests of the indigenous population, they are policies which are being pursued against the will and against the best interests of the indigenous populations. It seems to me to be imperative that the British administration reconsider its policy in regard to Tanganyika in the light of both the letter and the spirit of the Charter, particularly Article 76 (b), and bring these policies in Tanganyika in accordance with the Charter and, therefore, in accordance with the true interests of the native population rather than in accordance with the interests of the British Empire and the private monopolists.

It is also imperative to end the violation of Article 76 (b) of the Charter and of Article 8 of the Trusteeship Agreement for Tanganyika with regard to the regulation and the practice of land utilization. The Report of the British administration of Tanganyika, on page 76, states "in Tanganyika no lack of land has been felt". But let us look at page 78, where we can see a statement to the effect that in certain regions of Tanganyika an insufficiency of land has been noted. We should also note the fact that the Report does not take into consideration the indigenous inhabitants, of whom there are quite a large number, who are completely landless and who are in need of land. One should also note that the need of fertile and arable land will be even more manifest in the future, since the population of Tanganyika is increasing rather speedily, a fact which is also brought especially to our attention by the Report.

Meanwhile, the laws which exist in Tanganyika at the present time with regard to land utilization are an obstacle to the acquisition of

small lots of land by the indigenous inhabitants. At the same time, the same laws grant all possible opportunities for the acquisition of large tracts of land by large corporations, and set aside also very large tracts of land for the ground-nut scheme in East Africa. To justify such land policies, the British authorities refer to the tribal customs which supposedly govern land utilization in Tanganyika, but such a reference cannot really be considered to justify the waste of the land funds which has taken place in Tanganyika, the land funds which are being controlled by the administering power. The preservation of such funds, funds which I must say are also rather limited in Tanganyika, is certainly the primary responsibility of the administering power because the need of the indigenous inhabitants for additional land funds will increase annually.

I should like to return once more to the ground-nut scheme and the granting of large tracts of land to the corporation establishing the ground-nut scheme. The concentration of millions of acres of the best arable land among the non-indigenous population while, at the same time, there exists a large number of indigenous inhabitants who are completely landless -- about whom the Report says nothing whatever -- as well as the rapid increase in the number of indigenous inhabitants, demand a change on the part of the British administration with regard to their land policies. They also demand that the land policies be brought into definite accord with the interests of the indigenous population, not only the interests of today, but also the interests of the future.

In this connection, it may be advisable to receive the considerations of the British authorities with regard to those lands which have been taken from the indigenous inhabitants and the title to which has been transferred to Europeans. I am wondering whether the British administration in Tanganyika plans to return such lands to their proper owners, the indigenous inhabitants.

Now a few words about social advancement in Tanganyika. Many members of the Trusteeship Council have already pointed out the unsatisfactory social conditions in Tanganyika so far as the indigenous population is concerned. Doubtless, besides the economic factors, a substantial significance from the point of view of the British administration is also applied by the system which is referred to usually as the system of indirect rule, and which is frequently utilized to govern the territory. This system, as I have already pointed out, rests on the necessity for preserving and fortifying the native tribal systems, systems which hinder social advancement for the indigenous inhabitants. To make it possible for the great majority of the indigenous inhabitants of Tanganyika to receive a real advance, surely it is imperative that the administering power abandon the system of indirect rule and that true self-government be instituted instead, a self-government based on the electoral system.

To pursue the latter objective, it would become necessary for the highest legislative organs of Tanganyika, as well as the organs of local administration, to be organized from the point of view of Article 76 (b) of the Charter.

According to Article 76 (b) of the Charter, the Administering Authority is to encourage and promote by all possible measures the political, economic and social advancement, as well as the educational advancement, of the populations of the Trust Territories.

We can see from one of the tables in the Report that one of the results of the economic backwardness of the territory of Tanganyika is the situation in which there is an extremely low employment level among the indigenous inhabitants. For instance, in 1947, of 5,562,000 indigenous inhabitants, only 324,000 were actually employed. Along with this, we have a situation in which the wages of the indigenous inhabitants are extremely low. For instance, unskilled labourers receive eight shillings a week. The semi-skilled labourers receive twelve shillings. Skilled labourers receive only twenty-one shillings a week. One can see from this that an indigenous labourer cannot support, on his wages, a family consisting even of only two persons. And we do know that native families as a rule are much larger than that.

Therefore, it is imperative that measures should be taken to increase the wage level of the indigenous inhabitants and that, simultaneously, serious measures should be taken to do away with discrimination in wages as between the indigenous inhabitants and the Europeans. Such discrimination has become an integral part of the present situation in Tanganyika, and in this respect the situation in Tanganyika is no different from the situation in Ruanda-Urundi. The wages of indigenous inhabitants are calculated not on the basis of the individual qualifications of the labourer and not on the skill with which he does his work. They are calculated in terms of the prevalent miserly standard of living which exists for the indigenous inhabitants of Tanganyika.

Just as in the case of Ruanda-Urundi, the discrimination in Tanganyika is particularly acute as between the native teachers and the European teachers. From data published in the Report, it can be seen that even those indigenous African teachers who have graduated from the Makerere College, and who hold the highest paying jobs for indigenous inhabitants, receive a monthly salary of between 120 and 200 shillings; while the European teachers receive from 1500 to 1700 shillings a month.

From the Report of the Administering Authority, as well as from the petitions which have come to the attention of the Council -- I have in mind particularly Mr. Fortie's petition -- one can also see that child labour is used extensively in the cotton cleaning establishments, as well as in other industrial establishments, and in coffee plantations, as well as other plantations, and also on parethrum plantations. The Report does not give precise data on child labour. Neither does it give precise data as to just what legislation exists to protect and safeguard such child labourers as there are. It appears that the Administering Authority should pass additional legislation to protect and safeguard such child labour.

The situation is also quite unsatisfactory with regard to both health and medical services. The Report makes it quite clear that, for five and one half million persons, there are in Tanganyika only forty-seven governmental hospitals; while, for seventy-five hundred Europeans, there are twelve governmental hospitals.

Now, let us look at the educational picture. The mass education for the indigenous inhabitants, as far as one can conclude from the Report, is on a very low level. The Tanganyika budget shows that only 7.2 per cent of the total budget is allotted for the educational needs of the indigenous inhabitants.

The Report gives a table -- in fact, several tables -- showing the inequality which exists with regard to the indigenous and the European populations, respectively -- an inequality so acute that it cannot fail to draw the attention of the reader. This inequality exists with regard to the education of the Europeans as compared with the indigenous population. We know that there are 7500 Europeans resident in Tanganyika. Eight hundred and forty-four European children are attending school. In other words, practically 100 per cent of the European children of school age are actually attending school. The situation is also quite satisfactory with regard to the children of school age of the Asian group. Of over 500,000 Asians who are resident in the territory, 10,500 children of school age are attending school -- which is 20 per cent of the Asian population. But now let us look at the figures for the indigenous population. There we really see an abyss. Of 5,500,000 indigenous inhabitants, only 119,000 persons attend school -- in other words, only 2.2 per cent of the total indigenous population.

We see the same discriminatory picture as between natives and non-natives in the expenditures incurred by the Administering Authority with regard to the education of each child, in respect of European children as compared with children of indigenous inhabitants. For every European child, the Government spends 1,802 shillings; whereas, for every indigenous child, only 64 shillings a year are expended. Comparing these statistics one can come, to a certain extent at least, to the comparative picture of the educational system as between the indigenous children and the European children -- both as to quality of education and other factors.

Generally speaking, one may note that the education of the indigenous inhabitants of Tanganyika is on such a low level that it is really beyond criticism. Of course, in this respect, of all the territories which have come to our attention, first place can probably be claimed only by Ruanda-Urundi, where the educational picture is even worse than in Tanganyika.

But the educational system with regard to the indigenous population of Tanganyika is more peculiar than is indicated in the Report furnished by the administering authority. On page 30 of that Report there is a statement to the effect that the political advancement of Tanganyika at the present stage of development is primarily a question of education. One should add to that that the United Kingdom also connects the granting of certain economic advantages, or at least a certain degree of economic participation in the life of the country, with education. The Report points out that all such policies on the part of the administration have as their purpose the gradual preparation of the indigenous population for greater -- in fact, maximum -- participation, economically speaking, in the life of the country and the assumption of the functions carried at the present time by the European inhabitants. The policy of the administration with regard to education has that in mind.

What have we then? We have a situation in which the participation of the indigenous population both administratively and economically is, according to the administering authority, dependent on the level of education. But at the same time only negligible sums are spent by the administering authority for education and a negligible percentage of the indigenous children of school age are actually attending school. Further, the Administration hardly accepts any responsibility for education. The Administration has transferred ^{almost} the whole responsibility to the missions and the religious groups. So we have a situation in which so far as theory goes, in words, we have one picture; in actual reality, the situation is quite different.

Naturally, with such an educational picture as I have painted on the basis of the Report, it will be a long long time before the indigenous population will be able to develop its own intelligentsia, its own technicians, and for a long time to come the majority of population will remain illiterate.

This is naturally a considerable advantage for the administering authority. This circumstance can always be utilized by the administering authority as an argument to justify the fact that so few or no indigenous inhabitants participate in the administration or play any active role in the economic life of the country. Such policies by their very nature violate both the Charter and the spirit of the trusteeship system because under no circumstances can one agree with a situation in which the development of the indigenous population and the improvement of the standard of living are made categorically dependent on the educational level ^{and,} therefore, the whole question of the development of local organs of self-government is being postponed into a very distant future. Such arbitrary interpretations of the Charter and the trusteeship agreements, which establish certain stages of educational development as criteria for participation cannot be approved by the Trusteeship Council. The administering authority should be informed of the necessity of universal encouragement of self-government as early as the present time. The development of self-governing organs will in itself serve as an inspiration for education and will increase the educational standard of the indigenous inhabitants. On the other hand, hindering education or hindering the participation of the local population in self-governing organs will slow up the educational process. It is impossible to make one dependent on the other. It is impossible to make one a condition of the other just as it is impossible to artificially create a situation in which one is dependent on a certain stage of development of the

other. That is not a proper policy. Such a policy does not serve the task nor the objectives of the trusteeship system. I think it contradicts Article 76 (b) of the Charter of the United Nations.

The administering authority must without delay correct its Tanganyika policies and begin a course of educational development and political advancement. These must take place simultaneously.

Now, I wish to make a few remarks on the subject of the proposal which was made by the representative of the United States. The United States proposal was in effect that the administering authority should consult the Trusteeship Council prior to making any considerable changes in the administration such as the scheme for inter-territorial reorganization. As I remember, the representatives of the colonial powers and the mandatory powers have all spoken against that proposal saying that the Trusteeship Council can only observe or supervise the measures actually taken and that new laws for administrative reorganization must fall exclusively within the competence of the administering power. They say that the Trusteeship Council should have no direct connection, in fact no connection whatever, with such changes. With this exaggerated, in fact incorrect, interpretation of the proper attitude toward the trust territories, the USSR delegation naturally cannot agree, particularly as such administrative changes are liable to change the legal status of trust territories. For example, Colonial Paper 210 accomplishes just that. It changes the legal or juridical status of a trust territory by creating common services and a common administration for three different territories, one being a trust territory and two, Kenya and Uganda, being colonies. The Charter is quite clear on this subject. It states that the administration of the trust territories rests with the United Nations. That is Article 75 of the Charter. It says that

the actual administration of such territories will be carried by the United Nations through one of its member states and under the conditions imposed by the Charter. Those conditions are reflected in the trusteeship agreements in force today.

It follows, therefore, that the functions of the United Nations with regard to trust territories consists not merely of observation but also of supervision and of guiding the policies of the administering power, as well/^{as} control of the administering authority concerning the actual realization of the tasks and objectives of the trusteeship system. The preliminary survey by the Trusteeship Council of administrative reorganization and some of the new laws and regulations which are likely to change the status of the trusteeship territories is all the more necessary since such steps on the part of the administering power are usually violations of the conditions which govern the administration of the trust territories, as well as violations of the basic tasks and objectives of the trusteeship system.

We know from the petitions of Mr. S. Semakula Mulumba and Mr. Fortie that colonial paper No. 210 violates the present status of the trust territory of Tanganyika, and is conducive to its eventual annexation. From Mr. Mulumba's petition one can see that colonial paper No. 210 was not discussed with the indigenous population. Their consent for such a reorganization was not obtained or asked even. In fact, the indigenous population is opposed to such a reorganization, and Article 76 (b) of the Charter states unequivocally that the freely expressed consent of the indigenous population should be obtained. Therefore, the inter-territorial reorganization scheme for East Africa which is now being proposed by the United Kingdom authorities violates the Charter, especially where Tanganyika is concerned.

I have already spoken at the beginning of my statement about the other aspects of this question. Does the task of the Trusteeship Council consist only of defining incorrect or improper actions on the part of the administering power only after such actions have taken place? Is it not

the duty, as well as the obligation of the Council -- on the basis of the Charter and of the tasks and objectives of the international trusteeship system -- to forestall such improper actions on the part of an administering power? It seems to me that everyone will be able to agree with me on that point. Therefore, the proposal that the administering power should submit such schemes to the Trusteeship Council before they are put into effect is well-founded and well based legally. However, in my view the Trusteeship Council should be more definite than has been proposed by the United States. With all apologies to the representative of the United States, it appears to me that his approach to the whole subject of his own proposal is rather timid and unsure. He has merely expressed the desire and the hope that the administering powers will be so courteous and so nice as to submit draft proposals of new schemes of reorganization to the Trusteeship Council in time for consultative purposes. But the role and function of the Trusteeship Council on this question -- I emphasize "this question" -- should be more decisive and more active. In the opinion of the delegation of the USSR it is up to the Trusteeship Council to take a stand and to reach a decision to the effect that the administering power must submit to the Council, in good time for consideration, draft proposals of laws, ordinances and other administrative regulations which, in any degree whatsoever, touch upon, may touch upon, or change the status of a trust territory.

In conclusion, I should like to make a proposal on the subject of the Report on Tanganyika. This proposal is as follows:

1. To reject colonial paper No. 210 as far as it concerns the trust territory of Tanganyika as violating the tasks and objectives of the United Nations administration of Tanganyika, as hindering the advancement of the indigenous population of Tanganyika towards self-government and independence, and as conducive to the eventual loss by Tanganyika of its status of a trust territory.

2. To create for the trust territory of Tanganyika a separate administration.

3. To reconsider the structure of both the central and local administrative organs, as well as of the legislative organ in the trust territory of Tanganyika, in such a manner as to provide for indigenous representation elected by the electoral system in each province.

In connection with the aforementioned measures, appropriate legislative measures are to be taken.

4. Considering the backwardness of the economy of Tanganyika, and considering the fact that the economic plan for the development of Tanganyika has been made by the administering power without the consultation or consent of the indigenous population, and because such plans do not correspond to the tasks and objectives of the Trusteeship Council, it is imperative for the administering power to develop such plans for the development of industry and agriculture in the trust territory of Tanganyika as would be founded on the freely expressed will of the indigenous population of the territory, as provided for by Article 76 (b) of the Charter.

Special attention in such plans should be allotted to the development of local industries based on local resources, and the creation of an independent and natural basis for the purpose of producing consumer needs of the indigenous population.

It is also imperative for such plans to be submitted to the Trusteeship Council.

5 (a) For purposes of social advancement, it is imperative that the administering power take steps to do away with the wage discrimination as between the indigenous and the European worker. The same attention should also be paid to salaries of medical and teaching personnel, as between the indigenous and the European staff members. It is also imperative that representatives of the indigenous trade unions and other worker groups, agricultural and industrial groups, which have not yet been covered by the trade unions, be also represented in the executive or legislative organs, with the condition that such representatives should not be appointed by the Governor but should be freely elected by the members of said organization.

It is imperative to increase and strengthen control over child labour, as well as to take appropriate measures to safeguard child labour.

(c) To increase the funds allotted for medical services as well as health services for the indigenous population. Proper attention should be paid to the development and construction of medical centres, the building of hospitals and the training of medical personnel recruited from among the indigenous inhabitants, including certified physicians. Therefore, the network of schools of all levels, including the university level, should be expanded to train such medical and teaching personnel. Plans for increasing the medical services and improving the health situation in the trust territory of Tanganyika should also be submitted to the Trusteeship Council by the administering authority.

(d) To reconsider the present system of taxation, including the poll tax, as well as the whole taxation system, which is not founded on ability to pay. It is imperative to introduce the system of progressive taxation, as well as to establish local and central headquarters for considering complaints with regard to petitions on the part of the indigenous population.

Considering the large percentage of illiteracy on the part of the indigenous population; it is imperative that effective measures be taken to expand the network of primary and secondary schools for the indigenous population, as well as institutions of higher learning which would train indigenous teachers. It is therefore necessary to allot quota funds for such purposes, both from the national budget as well as from the local budget. It is imperative that the main responsibility for education be vested in the Government rather than in the mission /or private concerns, and the administering authority should, therefore, take measures to transfer the secondary schools, which are now run by missions, to the supervision of governmental organs.

It is also necessary, for purposes of developing indigenous culture and languages, such as the composition of native grammars, alphabets, and so on, to create a scientific centre in Tanganyika which would teach the most widely spread native languages, such as Swahili and others. It is also necessary for purposes of preparing indigenous pedagogues. It is also necessary in order to prepare native pedagogues, who would be the authorities for native culture and native languages.

The administering authorities should therefore submit to the Trusteeship Council a plan for developing native culture, a plan which would also cover the liquidation of illiteracy among the indigenous population, based on all the aforementioned.

Seven, the administering power is invited to submit, periodically and in time, for the consideration of the Trusteeship Council various laws which^{would} in any way affect the legal status of Tanganyika as a trust territory. This last proposal is of a general character. It does not specifically refer to Tanganyika; it could refer to all other trust territories, as well as to all administering powers.

The meeting was suspended at 4:45 p.m. and resumed at 5:10 p.m.

The PRESIDENT: I call on the representative of Australia.

Mr. FORSYTHE (Australia): The Trusteeship Council will remember that I reserved the position of Australia on the question of administrative union until the New Guinea report is considered. However, general application has been given to some propositions which were stated in the Council yesterday and today, and I am afraid that I cannot, in this instance, speak briefly regarding some of those propositions.

As you know, Australia has submitted, for the information of the Trusteeship Council, an outline of its proposed legislation with regard to the administrative union of Papua and New Guinea. I want to make it clear that that information has been submitted for the information of the Trusteeship Council and not for the Council's directions. I also wish to make clear the reasons why the information has been submitted in that way.

Mr. I am not attempting to proceed now to the consideration of the report on New Guinea. I wish to deal with some general propositions which have been put forward in the Trusteeship Council, but which affect the Territory of New Guinea, and I want to make my points now because conclusions that might be reached on the consideration of the Tanganyika and Ruanda-Urundi Reports might be taken to have general application, and also because I think that some of the propositions put forward affect the whole nature of the Trusteeship System and affect the territories at present under consideration.

First of all, speaking this afternoon as the representative of China, the President suggested that the Trusteeship Council should report to the General Assembly that it had not had an opportunity to discuss before they were put into effect the proposal for inter-territorial organization in East Africa. In my view, such a report to the General Assembly would imply that the Trusteeship Council has the function of considering such measures in advance, and I consider that the implications of it are not only inconsistent but dangerous to the whole trusteeship system. The representative of the USSR this afternoon has gone further and has demanded the submission of programmes on details of administration.

Secondly, as the representative of China, the President suggested also that final conclusions should be deferred until the Trusteeship Council is better informed about the subject, until we know the real situation, and until the visiting mission has examined the position and has reported to the Council. I agree with this suggestion. I think it is the proper function of the Trusteeship Council to see what is done in the territory and then formulate its conclusions.

I wish now to state a considered view on the question of the submission of administrative measures to the Trusteeship Council in advance to their implementation and upon the question whether the Trusteeship Council should assume the function of directing the administration in trusteeship territories. For the Trusteeship Council to make recommendations to the administering authority in advance of decisions and in advance of ^{the} taking of measures by the Administering Authority would be, in effect, to constitute this Council as a

government of trust territories. With every feeling of respect for the members of this Council in their present and proper capacities, I think that you, Mr. President, and they will agree with me that this body scarcely qualifies for the enormous and grave responsibilities in which that would involve them. I think that no one who has attended our meetings would disagree with me in this. For my part, I would strongly oppose any attempt to involve me, as a member of this Council, in responsibility for the government of any of the territories with which we are concerned. I could accept such responsibility only where, as in the case of the proposed regime for Jerusalem, it was formally and deliberately conferred on the Trusteeship Council, and I could then accept it only with humility.

It is, in my opinion, a misconception of the functions of this Council which would consider the Council subject to blame if things did not always go well in the administration of trust territories. It reminds me of a very wise contemporary and penetrating observation on King James I which, for the sake of illustrating a state of mind which exists here, I would paraphrase as follows:

"The Council feels itself as being an immense brood fowl set over these territories, and would fain gather them all under its wings."

Perhaps Kingd James, who, as you all know, was also referred to as the "wisest fool in Christendom", suffered more than anything else from excessive zeal. Had he been content to let his chickens roam a little, who knows but what they might have surprised him with the constructive work they could do in the world. As it happened, they refused to be stultified by paternal protectiveness and, as a result, preferred to build up the English parliamentary

system and, later on, the American democracy.

The Charter of the United Nations clearly admits the possibility of the Trusteeship Council being charged with the responsibility of governing trust territories, but only where a territory is specifically placed under its administration by means of an / individual trusteeship agreement. Of the ten trust territories at present existing, nine have been placed under the administration of a single state, the other, the Nauru Island being placed under three states which jointly form the Administering Authority. Where it is expedient, the Charter allows of administration by the Trusteeship Council. I merely observe that so far it has not been thought expedient except in the special case of the international regime for Jerusalem, which, incidentally, is not to be a trust territory.

In all cases, the trusteeship agreements name the administering authority and confer upon it the responsibility for administration and the rights and powers that go with that responsibility. This responsibility is not shared with any other state or authority -- not even the Trusteeship Council. This is an essential feature of the trusteeship system as it exists, and, indeed, as it was intended to be. It was not intended that there should be any doubt as to where the responsibility lies, and the Charter and the agreements make it clear that the function of the Trusteeship Council, except where it is itself designated as the administering authority, is to do something other than administer or share in administration.

Clarity on this principle is, of course, essential in any community, but it is especially important in the case of territories in which the people are not advanced enough to help themselves and to remedy by their own efforts confusion, difficulties and evils which are bound to arise where responsibility is divided or uncertain.

Perhaps the worst disservice the Council could do to the cause for which it exists, the advancement -- political, social, economic and educational -- of such people, would be to take such action or to express such views as would tend toward doubt or confusion in regard to this prime and fundamental prerequisite of their advancement: the complete and unequivocal responsibility of the authority charged with their peace, order, ^{Good} ^{and} government defence and their well-being and advancement.

Hitherto, the Council has scrupulously avoided such action or the expressing of such views. In the important cases of Western Samoa and Eweland, the Council considered -- action already decided upon or already implemented by the administering authority.

Lest it seem that, with its means of supervision limited and without the right to intervene, overrule or to direct the government and administration of trust territories, the Council is not of much practical

use, let me say that such a view, in my opinion, would be not merely shallow but utterly unrealistic. It would overlook the immense importance of the complex of motives signified by the old phrases "prestige", "amour propre", "national honour", and "good faith". Even the merely negative desire to escape criticism in an international forum is a powerful incentive to nation^{states}, not least the member states of the United Nations.

The trusteeship system is well calculated -- and deliberately calculated -- to stimulate and utilize these motives. No one who has followed the sessions of the Council could fail to see how concerned the administering authorities have been to show their good faith, to make known their efforts to improve conditions and to remedy shortcomings and to explain the difficulties they inevitably encounter. Their desire to stand well with world opinion is obvious, and the means of supervision which the Council possesses and its procedure of open sessions leave them in no doubt that good faith is not enough; good works are also essential. There is not a single administering authority that does not take the supervision of the Council seriously. A cold calculation of consequences would dictate this attitude, but it is instinctive in any case. They know that the Council is armed with a set of principles and standards set forth in the Charter and the agreements which the administering authorities themselves have subscribed to with solemnity and which they assisted in presenting to the Trusteeship Council, and they know that, through the Council's judgment of their actions, as against these principles and standards, the world is also measuring and judging.

That is the function and the high responsibility of the Trusteeship Council, and it is the reason why the Trusteeship Council does not identify itself with measures of administration. To do so would be to place the Trusteeship Council in the position of passing judgment upon itself. For administering authorities to submit measures of

government and administration, in advance, for the advice or direction of the Council would be to invite it to assume responsibility, in whole or in part, for such measures. But it is the administering authority, not the Council, which is in close touch, and has for many years been in close touch, with the actual situation and the practical needs and possibilities in the territory.

Secondly, if the Council were to lay down or influence administrative measures directly, the administrative authority would be in a position to disclaim responsibility.

Thirdly, if the Council committed itself to measures which proved to be ill-advised, it would compromise its function of supervision, for it would either have to disguise its mistakes or confess its ineptitude. In either case, it would bring discredit on the trusteeship system and thus prejudice the great purposes of the Charter. It would lose its reputation and forfeit public confidence, and thereby vitiate the grand purpose for which it exists: the expression of the conscience of humanity toward the amelioration of the conditions and the realization of the aspirations of those who are unable to stand by themselves in the world of today..

The Australian Government has placed the legislation it has already introduced in the Australian Parliament before the Council for its information, but not for its directions or recommendations. It could not ask for such directions. To do so would be to abdicate the responsibilities conferred upon it by the trusteeship agreement for the government of the territory.

There is a point -- raised I think by the representative of Mexico during our earlier discussions, and I think it has also been in the mind of the representative of China -- upon which our minds should be clear. The point may be stated as follows -- and if I do not state it fairly, I should be very glad if I could be corrected:

According to Article 5, or the relevant article of the agreement relating to any particular trust territory, an administrative union may be established if the administering authority thinks it would be in the interests of the territory and not inconsistent with the basic objectives of the trusteeship system. But if the administering authority is not bound to seek the views of the Council in advance and can proceed to take action, the Council will only have opportunity to express its views as to the consistency of the measure with the objectives of the system, after the measure has gone into effect, and therefore at a time when it would be either impossible or extremely difficult to secure conformity with the objectives, since this would require, assuming that the administering authority had made a mistake, either modification or cancellation of measures of a very high order of importance and profoundly affecting the whole of the structure of administration in the territory.

That is my statement of the position which has been taken by some representatives.

This argument in favour of the advantages of the consideration of important measures by the Trusteeship Council, while it is morally nothing but to the credit of those who espouse it, to my mind cannot be accepted without grave danger to the whole trusteeship system. First, the agreement requires the Administering Authority to judge whether the measure would be inconsistent with the basic objectives. It says the Administering Authority is at liberty to establish administrative union if this would not be inconsistent with the basic objectives. It clearly makes this decision a function of the Government of the territory.

In the case of the New Guinea Agreement, this is made doubly clear by the inclusion of the phrase "in its opinion". That is to say, the opinion of the Administering Authority. That function of government of the territory is not a function of the Trusteeship Council.

If, after the event, the Trusteeship Council, exercising its proper and high responsibility of reviewing the actions of the Administering Authority in relation to the objectives of the system, is of the contrary opinion, its expression of that opinion would be a powerful incentive to the Administering Authority to re-examine its measures and consider whether they should be modified or abandoned. Moreover, and this is an important reflection, the foreknowledge that its measures, once taken, must pass under review by the Trusteeship Council causes and has caused Administering Authorities to give the most searching consideration to this question of the consistency of their measures with the objectives of the system.

Secondly, the view I have summarized assumes the fallibility of the Administering Authority. I do not feel that it is a matter of questioning the good faith of the Administering Authority, but merely of trying to anticipate the possibility of mistakes by the Administering Authority in making judgments as to the consistency of its measures with the Charter objectives. This fallibility can be admitted. Administering Authorities at all times in history have been known to make mistakes. But it is the right of governments to do so. It is their right to make mistakes, although, of course, it is their duty to make as few as possible. This right to make mistakes is one of the prerogatives of government. It is in fact a corollary of responsibility. In democratic countries, government acts and the electorate reviews. When the electorate is not satisfied, when there have been too many mistakes, it warns the government by reducing its support or gets another government which it hopes will not make so many mistakes, or at any rate not the same ones.

The Trusteeship Council has not got at its disposal quite such a drastic sanction. But it has a most powerful one, a sanction which not one of the Administering Authorities ever forgets or will ever ignore, the mighty sanction of United Nations and world opinion.

Thus it seems to me both consistent and proper that the Administering Authority in a trust territory should not only be permitted but should definitely be obliged to make its own decisions, its own judgments in regard to the government of the territory and the consistency of the measures of administration with the objectives of the trusteeship system. If it were not so, if the Administering Authority were obliged to obtain the views and directions of the Trusteeship Council before taking decisions and implementing them, the Administering Authority would have surrendered

the functions of government to the Trusteeship Council. I submit that the agreements do not contemplate this evasion of responsibility by the Administering Authority and that the Charter, except in the case of territories specifically brought under the administration of the United Nations, does not countenance the assumption of powers of government in trust territories by the Trusteeship Council.

Thirdly, in the view to which I am referring, there is implicit a proposition, which the representative of New Zealand at an earlier discussion of the subject developed to a certain extent, that the Trusteeship system should be regarded as a co-operative enterprise and that Administering Authorities should therefore in practice not be reluctant to consult with the Council in advance of decisions or measures of importance. There is not one of the Administering Authorities who would wish to act unco-operatively. So far as Australia is concerned, the members of the Council will acknowledge that information on which they are at liberty to express their views has been placed before them. But co-operation should not be carried to the point where responsibility would become confused; where the responsibilities of the Administering Authority are concerned, it must be the judge of the extent and the form of the co-operation. And in pursuing a co-operative policy it must guard against involving the Trusteeship Council in a responsibility for administration. It is for this reason that Australia has placed its decision of policy and the measures of implementation on which it has decided before the members of the Council for their information and not for the purpose of seeking directions. Such considerations as the members may feel it appropriate to raise will be noted, but not until the administering authority has taken action does the Council's function of supervision, criticism and review come formally into operation.

The answer to the view under reference is, therefore, that while it is true that the Trusteeship Council will be presented with a fait accompli, and indeed already is so far as the decision of policy is concerned, this is not an outrageous or an unusual situation nor even an improper situation.

The Trusteeship Council is continuously, and continuously will be, presented with faits accomplis, since accomplished facts are the very stuff of government. It is for governments to act, to discharge their responsibilities in the form of action. The function of review is another and distinct function, the kind of function which an electorate or a high court concerned with the constitutionality of legislation exercise. And ^{when} do the electorates or high courts pronounce upon the propriety of governmental acts? Surely, it is after action has been taken, and this is because it is only then that governmental acts have assumed the concreteness in which their practical effects and their constitutional validity can be assessed with any certainty. But we can be very sure that governmental decisions and actions will be taken on matters of importance only after fullest consideration of their acceptability to electorates and courts and, in this case, to the Trusteeship Council of the United Nations.

No administering authority is out to flout the Charter which all of them helped to write and all of them solemnly signed. On the contrary, in regard to trust territories as in regard to other aspects of the Charter, they are concerned to see that its provisions are carried out, and they are equally concerned to see that the trusteeship agreements are faithfully executed and that the responsibilities placed upon them by those agreements are faithfully discharged by them, and not evaded or permitted to be diluted or confused. If this involves presenting the Council with faits accomplis, let us hope that the facts will always be accomplishments. If they are not, if mistakes have been made and if there are shortcomings, the Trusteeship Council will have the duty of making this known and of bringing to bear the powerful sanctions it has in its hands, to the end that the administering authority will contrive to repair its errors and so order its administration as to conform fully with the objectives of the Charter.

The United Nations has entrusted the administering authorities with the heavy responsibility for the well-being and advancement of millions of people who are not able to manage all their own affairs, and in so entrusting these authorities it did not, I submit, do so with suspicion and reservations but with confidence in their good faith and their experience and ability. It did not confer upon them a trust and, at the same time, intend to make their decisions for them in the discharge of the trust. In short, it trusted them. It retained, however, one great power which, wisely and beneficently used, will be of incalculable worth -- the power to call the trustees to account -- and it gave the exercise of that power into the hands of this Council with reliance upon its idealism and its vigilance, but also with confidence in its discretion and its restraint.

There is a partnership between the Council and the administering authorities. It is a partnership which will thrive upon clear understanding of and respect for distinctions of function. One of the members of this Council the other day referred to the administering authority as the "agent of the Trusteeship Council." In my view this is an incorrect interpretation of the trusteeship system. The concept of agency is not the same as the concept of trust. An agent can be directed and is, therefore, not answerable if action taken according to directions proves unsound. The trustee cannot be directed. The responsibility for executing the trust is his and his alone, and he is, consequently, answerable for the results. To put the administrator in the position of an agent relieves him of responsibility. He cannot be blamed for the outcome of what he has been instructed to do. To regard the administering authority as agents of the Council would logically lead to the Council being regarded as the government of trust territories. Indeed, there seems to be a tendency in some quarters to take this view, but it has no foundation in the Charter or in the agreements. On the contrary,

the Charter establishes the administering authority as an authority in its own right, and the agreements in such cases specify a particular government as the authority. Neither the Charter nor the agreements use the phrase, "on behalf of the United Nations."

The administering authorities are not governing the territories on behalf of the United Nations but in trust for the inhabitants, and the exercise of the trust is supervised by the United Nations. In all the trust territories which so far exist the function of government or administration is kept outside the United Nations, and the Charter and the agreements provide for this. The United Nations is not responsible for failures and shortcomings in the task of advancing the peoples of these territories, and it is not desirable that it should be. It would be in a bad position to bring about improvement if it were. Its means of bringing about improvement is that of supervision, through the Trusteeship Council. It assesses the action of the trustee states against the principles, standards and undertakings which are set out in the Charter, and the agreements which constitute the bases of each trust so entered into.

It is for these reasons that it is of paramount importance, to the future of the trusteeship system, that the Council should not involve itself in responsibility for administration. By doing so, it would put itself in a position in which it would be embarrassed in carrying out its function of supervision, the function on which the United Nations relies in order to see that the objectives of trusteeship are fulfilled. It would compromise the very nature of the system and defeat the intention of those who founded the United Nations and established the objectives, under which the system is designed to serve.

I have been a long time, but we have had an example set in the last few days of long lectures given to the Trusteeship Council, and I, myself, have generally made my remarks very brief. I shall therefore ask the indulgence of the President to trespass on his good nature for another three minutes, in order to make a few more points which link on closely to those that I have just been expressing.

I should like to say that the function of review and criticism by the Council is accorded to it with a view to the better achievement of the objectives which are laid down in the Charter. This function gives the Council very great influence as a representative of the United Nations and of world public opinion. It is a very important power, but one which should be exercised with great restraint and discretion, in proportion to its importance; also, because the power of criticism, misused and pressed too far, can have very disturbing effects in the territories themselves.

If the Council sincerely desires to achieve the well being and advancement of the peoples of the trust territories, it should be careful to avoid undermining their confidence in the administering authority, because this would add to the very great difficulties which already exist

in bringing about their advancement and the promotion of their welfare. Intemperate use of the power and supervision, under review might tend to give the administering authorities the impression that whatever they do, however necessary their efforts, the Council is biased against them, and the impression that they cannot expect fair public recognition and a just assessment of their efforts. It is dangerous to discredit and undermine confidence in the authorities whom the United Nations itself has recognized as responsible for the government of these territories, and it is not helpful to the objectives of the Charter to give the administering authorities the feeling that the Trusteeship Council's assessment might be biased and not based on a real knowledge of the situation and real consideration for the peoples. That, after all, is the most important thing.

I feel that there is a certain contrast here with the Permanent Mandates Commission, which, while it always remained true to its task of drawing attention to errors, abuses and shortcomings, on the other hand, it showed itself helpful to the administering authorities and was as much concerned to help and assist them, as to criticize them.

The PRESIDENT: I think I owe the representative of France an apology. He indicated that he wanted to speak, before the recess.

Mr. GARREAU (France) (Interpretation from French): I shall attempt to be brief, particularly in view of the fact that everything said by the representative of Australia seems to have taken the words out of my mouth. I agree fully with everything that the representative of Australia said.

In the course of the general discussion, mention was repeatedly made, in a very broad way, of the so-called colonial system. I do not wish to undertake a profound discussion of the so-called colonial system. It has already been observed before this Trusteeship Council that at various times, and at the present time, there have been varying colonial systems. Nevertheless, it is usual to speak generally about the colonial system.

Certain assertions were made before this Council which, to me, appeared to be rather rash. For instance, the American Revolution was mentioned. The American Revolution was a revolution/^{which} was supposed to be a revolt against the colonial system. I shall attempt to be faithful to history, but I shall recall to you that the American Revolutions were made against the metropolitan countries, not by the indigenous population but by the colonists. The people in Washington were not Apaches or Comanches. Those revolts were revolts of colonists against the metropolitan territory. Because of the result of the economic revolution, the people realized that it was nice to be independent, and therefore, it was nice to be separated from the metropolitan power. But let no one tell me that those revolts were revolts of the indigenous population against exploiting administering authorities. General Bolivar was not an Apache or a Comanche. None of the South American leaders were Indians, I think. I think that Mr. Noriega will confirm that.

In the history of American revolutions I know of only two cases where there actually were revolts on the part of the exploited natives against their exploiters, and I have the pleasure of noting that that was on French territory. That is where there were true revolts, not whites against whites, but blacks

against whites, and the French exploiters were thrown out. Hence, there were, I think, the rising of two true native republics in America -- and I think the only ones -- which were Haiti and Santo Domingo. In addition to Santo Domingo there were islands where the majority of the population were colored, but those islands were absolutely unanimous in asking to become departments, in other words, states of the metropolis. That applies to Martinique; that applies to Guadalupe, which wanted to stay with France. These are facts of American history which, I believe, are unassailable.

Let us see what has happened since; let us evaluate it. I may assert that for 150 years the colonial system, as it may still be found in iconography and in old manuscripts, no longer existson French territory. Our colonial system has changed. The administrations, to a great extent, are in the hands of the natives.

Last year you saw with the French delegation at the General Assembly a Sudanese who is a native of one of the oldest colonies of France. He came from Sudan, a country which was occupied only fifty years ago, I think. He had the honour of being the Rapporteur of one of the Committees which had to deal with the question of the Samoan Islands. Do you call that a colonial system? I do not think so. I am not trying to make an apology as to what can simplify the colonial system, but when we deal with the Cameroons or French Togoland, I am waiting for my adversary to develop the discussion more profoundly on what is called the colonial system. in such a cavalier fashion.

More particularly, the question of Colonial Paper 210 and everything that was said about that subject will be dealt with. I think that the representative of Australia has just about exhausted the arguments from a legal point of view. He took the arguments right out of my mouth. We have heard some interpretations of Article 75 of the Charter which, to put it frankly, are quite fantastic. Apparently, all laws, no matter how well conceived, may bring about diverging interpretations, but for anybody to say that Article 75 entrusted the Trusteeship

uncil with the task of administering those countries and to say that the
administering authorities are only the agents of the super Government of the
Trusteeship Council is rather strange.

Super-government, per se. That is rather strange. Anyone who can thus interpret Article 85 will kindly look at Article 87. This Article states:

"The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

- "a. consider reports submitted by the administering authority;
- b. accept petitions and examine them in consultation with the administering authority;
- c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and
- d. take these and other actions in conformity with the terms of the trusteeship agreements."

It seems to me that if one reads that there can be no conflict of interpretation whatsoever. These two Articles have to be taken together, and that applies to all the Articles in Chapters XII and XIII of the Charter. In the case of Tanganyika, to these can be added Article 5 of the Trusteeship Agreement which was registered and sanctioned by the General Assembly itself. To sum up, I reject in toto all the ascertions which were made, in particular by the representative of the USSR, as regards this interpretation of the Charter. In addition, I should like to recall that while I agree with Mr. Sayre's interpretation to the effect that we would wish to see, when the administering authority desires to organize a certain union between a trust territory and neighboring territories, that the Trusteeship Council be consulted in advance. If, as in the case of New Guinea, the Trusteeship Council were advised of the intentions of the administering authority in that field, then we could take note of that, but the administering authority has every right to take

any measures it may desire, provided such measures are not contrary to the Charter or contrary to the provisions of the Trusteeship agreement. Subject to these reservations, the administering authority can take any measures it may desire.

With regard to this administrative union between a trust territory and non-trust territories, all I can say is that my conclusions are not the same as those of other members of the Trusteeship Council who say there is a danger of the absorption of these territories and a certain danger to the indigenous inhabitants who are not going to obtain the benefit of the Trusteeship Council, which is going to lead them to independence and autonomy. The frontiers of these trust territories were conceived as a result of historical events, and for the most part these frontiers are not natural borders, they are artificial borders.. They are simply lines drawn upon a map, and this applies with particular cogency to the territories which are now trust territories and with regard to which administrative unions are contemplated, since for the most part they were formed by the arbitrary division of existing territory by lines drawn on a map.

I think the tendency in the world, at least the tendency which is recommended and sanctioned in all the organs of the United Nations, is towards broadening the scope of federation and regional organizations which will join together various neighboring territories in order to favour their economic and political developments. This is the point of view from which we considered the Ewe petition last year. What is wrong with an administering authority forming local federations and unions, which, incidentally, was specifically provided for in the case of Tanganyika by Article 5 of the Trusteeship Agreement. From the point of view of the people themselves, from the point of view of their future, what is the danger if we open up to them a broader territory, if we put them into relationship with neighbourin

territories which are usually populated by the same race as themselves, instead of penning them up inside their own frontiers which, as I have said, were arbitrarily fixed by the march of events and drawn on a map with a ruler? To say that this kind of federation can be harmful to the population and can hinder the evolution of the people towards independence is absurd.

It may be for the Trusteeship Council to say to the administering authority "the union you contemplate is no good, or, at least, it may have some consequences which may be subject to criticism and which should be remedied so that this regime may be approved." If the Trusteeship Council wishes to say that, let it do so, If the Trusteeship Council reaches such a conclusion, let it intervene, but we should not try to prejudge the result of such an administrative union as between a trust territory and a non-trust territory. This would be showing an absolute lack of consistency and showing a lack of a sense of justice. To attempt to restrict what may be considered as an evil. the restriction of a population in a small and narrow territory, and at the same time to object to the opening of a frontier, is inconsistent. In one case, we want the people to be penned up; in the other case, we object to their borders being broadened.

Let me recall the Ewe precedent of last January, where the majority of the Trusteeship Council was clearly in favour of any provision which would free the people suppressed in unfortunate frontiers which were created artificially, or, at least, to find ways and means of seeing to it that such frontiers should not be permitted to hinder the development of the population.

At that time, the Council established a precedent, I submit. Do not be inconsistent. There is a precedent in another case, too, the result of Paper No. 210. In the case of Paper No. 210, you opposed the federation of Tanganyika with Kenya and Uganda. In January, in the case of Eweland, you favoured that kind of union.

The PRESIDENT: There are several other representatives who have asked to speak, but I propose that we should adjourn until tomorrow at 2.00 p.m.

Mr. KHALIDY (Iraq): I should be greatly indebted to the President if he would allow me to say a few words now. I shall not make a long speech.

The PRESIDENT: That will be agreeable.

Mr. KHALIDY (Iraq): I have only a few words in connection with one remark made by the representative of Australia.

The representative of Australia contends that he will accept responsibility to govern Jerusalem but not to govern a trust territory. In the case of Jerusalem, he says, he would accept the responsibility only with humility. I am not aware that he has shown any humility in the past, and, judging by his attitude in this matter -- which sometimes runs against the Charter and reason itself -- I have not much faith that he will show any humility in the future either.

But such pious humility on his part should not obscure the real motive which has made the representative of Australia take the attitude he has taken with regard to Jerusalem, which seems to be with him an idee fixe, sharing, in his brilliance, the defence of colonialism.

What, exactly, is the difference between governing Jerusalem and governing a trust territory, as far as the responsibility of this Council is concerned? I am not going into history, but when it comes to an examination in history, I think I can pass with flying colours. When it comes to determining how much Indian blood there is in a general, that I must leave to France, the United States and Mexico.

But when it comes to the Charter, when it comes to the responsibility of this Council, I think there can be no two ways about it. I, exactly as does the representative of Australia, know my position clearly. The trusteeship agreement gives the power in regard to the trust territory. That, he holds, is without a doubt the last word. Where does the Council get the authority for Jerusalem?

He will say from the General Assembly.

But does the General Assembly have the power? He will say, no doubt, that this is not our business.

This sort of Australian logic does not make sense, not with the standing lecture of the representative of Australia about King John, Parliament and chicken. If it is a question of power, or a source of power which has the authority to govern Jerusalem and the trust territories, he who has the authority to govern Jerusalem must have the same authority to govern a trust territory. I am indebted to the representative of Australia for determining my stand for me in the comparison he puts forward.

The meeting rose at 6:02 p.m.



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