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VERBATIM RECORD OF THE NINE HUNDRED AND THIRTY-THIRD MEETING

Held at Headquarters, New York,
on Tuesday, 29 July 1958, at 2 p.m.

President: Mr. CLAEYS BOUUAERT (Vice-President) (Belgium)

1. Arrangements for a periodic visiting mission to Trust Territories in the Pacific in 1959 [7]

2. Effects of the European Economic Community on the development of certain Trust Territories [16] (continued)

3. Administrative Unions affecting Trust Territories: report of the Standing Committee on Administrative Unions [8] (continued)

4. Examination of petitions: 221st and 222nd reports of the Standing Committee on Petitions [4]

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Note: The Official Record of this meeting, i.e., the summary record, will appear in provisional mimeographed form under the symbol T/SR.933 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

AGENDA ITEM 7

ARRANGEMENTS FOR A PERIODIC VISITING MISSION TO TRUST TERRITORIES IN THE
PACIFIC IN 1959 (T/1387, 1400)

The PRESIDENT (interpretation from French): The Council has a memorandum before it from the Government of New Zealand in which that Government has suggested the sending of a separate Visiting Mission with special terms of reference to the Trust Territory of Western Samoa. This memorandum is contained in document T/1387. In accordance with rule 65 of the rules of procedure, the Secretary-General has submitted a Note to the Council on the financial implications of the suggestion of the Government of New Zealand; this Note is contained in document T/1400.

I believe that I can assume that the Council is unanimous in not objecting to the sending of this Visiting Mission.

It was so decided.

The PRESIDENT (interpretation from French): Now that the Council has decided to send two Visiting Missions to the Pacific area, it now must decide as to the composition of these two Missions. For each of the two Missions, the Council has to elect four Member States, two Administering and two non-Administering. The States concerned will appoint the persons who will participate in the Missions. In the first place, the Council will vote for the four members of the Visiting Mission to Western Samoa.

A vote was taken by secret ballot.

<u>Number of ballot papers:</u>	13
<u>Invalid ballots:</u>	0
<u>Number of valid ballots:</u>	13
<u>Number of Votes obtained:</u>	
France	12
United Kingdom of Great Britain and Northern Ireland	12
India	11
United Arab Republic	10
Union of Soviet Socialist Republics	3
Haiti	1

The PRESIDENT (interpretation from French): As the result of the vote the next Visiting Mission to Western Samoa will comprise the following delegations: France, United Kingdom, India and the United Arab Republic.

The PRESIDENT (Interpretation from French): The Council will now proceed to vote on the membership of the Visiting Mission to the other Trust Territories in the Pacific.

A vote was taken by secret ballot.

Number of ballot papers: 13

Invalid ballots: 0

Number of valid ballots: 13

Number of votes obtained:

Burma. 12

Italy. 12

Belgium 11

China. 9

Union of Soviet Socialist
Republics. 3

Guatemala. 2

The PRESIDENT (Interpretation from French): The Council has thus designated the members of the Visiting Mission to the other Trust Territories in the Pacific, excluding Western Samoa. The Mission will comprise the following delegations: Burma, Italy, Belgium and China.

Mr. LOBANOV (Union of Soviet Socialist Republics)(interpretation from Russian): In connexion with the result of the vote which has just taken place, the Soviet delegation considers it necessary to draw the attention of the Council to the striking fact that the efforts of the Administering Authorities have resulted in one permanent member of the Trusteeship Council being systematically excluded from participation in Visiting Missions. This is the only permanent member of the Council which has never been included in the membership of Visiting Missions. As a result, it has been deprived of the possibility of visiting Trust Territories where it would gain direct impressions of the needs of the Trust Territories, listen to the desires of the populations of those Territories and make the greatest possible contribution to the cause of the gaining of their independence.

(Mr. Lobanov, USSR)

The notorious voting machine which is being abused by some States in this Council is being used in this case in the most gross manner in order to disrupt the principles of the international Trusteeship System. One can imagine how unacceptable are the actions of the Administering Authorities in the Trust Territories if, out of fear of being disclosed, they engage in such flagrant violations of the principle of Trusteeship.

Mr. THORP (New Zealand): Before you conclude this item, Mr. President, may I express briefly my Government's appreciation of the unanimous support which the Council accorded the suggestion that a separate mission with special terms of reference should in 1959 be sent to Western Samoa. Let me again assure the Council that the Mission will be welcomed by the people of Samoa and that the Administering Authority and the territorial government will do all in their power to assist the Mission in its important task.

Mr. JAIPAL (India): I should like to make just a few observations on the results of the voting. We hoped that the Council might have elected the Soviet Union to be a member of either Visiting Mission. We were somewhat disappointed to see that the Soviet Union had not been elected. This in our opinion raises a very important question. As the members are aware, the Soviet Union is a permanent member of this Council and has not been elected to go on any Visiting Mission since the establishment of this Council. This is clearly anomalous. The Council is, of course, free to decide on the membership of Visiting Missions, but the continued exclusion of one member is indeed unfortunate. Furthermore, this in our opinion affects the operation of the Trusteeship System as it is constituted at present, and we hope that this matter will be examined some time later by the General Assembly, for, after all, the Trusteeship Council functions under the authority of the General Assembly.

Sir Andrew COHEN (United Kingdom): I should like to make one observation in relation to the remarks which we have heard from the representative of the Soviet Union. If he alleges that it is a breach of the Charter or a breach of the Trusteeship System not to vote for the Soviet Union, this seems to be a most peculiar allegation. I should like him also to look at the voting figures and he will see that, although there are only seven administering members of this Council, the Soviet Union got only three votes. Therefore, his deductions from his analysis of the voting system seem to be as inaccurate as I thought they were uncalled for.

U THANT (Burma): First of all, I wish to offer my apologies for being late in attending this meeting this afternoon. My delegation was under the impression, I am sorry to say, that the meeting was to start at 2.30 p.m. as usual and not 2 o'clock. If we had been able to attend the meeting in time, of course, we would have voted for the Soviet Union as one of the members of the Visiting Missions. Of course, my delegation wishes to associate itself with the remarks just made by the representative of India. We feel that the claims of the Soviet Union with respect to being a member

(U THANT, Burma)

of a Visiting Mission to the Trust Territory are very justified, and our delegation will continue to support any further move in the future on behalf of the Soviet Union in seeking election to one of the Visiting Missions.

Mr. LOBANOV (Union of Soviet Socialist Republics)(interpretation from Russian): The observations which the representative of the United Kingdom took the liberty of making only accentuate the abnormality of the situation in the trusteeship Council. The representative of the United Kingdom knows very well what pressure is being exerted by some delegations in this Council, and it would be better for him to remain silent as to why some representatives did not vote here. That is one point.

Furthermore, the representative of the United Kingdom should know that one place of a non-administering Power is occupied here by a delegation which is not entitled to that place. That is another point.

If the representative of the United Kingdom thinks about this, he will realize what a blow is struck against the system of trusteeship when it is appreciated that it is possible for the colonisers to rule supreme not only in Trust Territories but even here.

Mr. OSMAN (United Arab Republic)(interpretation from French): One of the reasons why the Charter established a system of Visiting Missions was to allow members of the Trusteeship Council to have a more direct and objective contact with conditions obtaining in the Trust Territories. It was for that reason that my delegation regrets that the Soviet Union, as a permanent member of the Trusteeship Council, has not been allowed so far to participate in the Visiting Missions.

Mr. KELLY (Australia): I wanted simply to record on behalf of my delegation our regret that any representative on this Council should have described the Council as a notorious voting machine used in a most gross manner. Those words, I think, were intended to be applicable to the Council as a whole; I think they were uncalled for, and I should like to ask you, Mr. President, to request the representative to withdraw them.

Mr. KOSCZIUSKO-MORIZET (France)(interpretation from French): I wish merely to point out that we have heard two explanations on a vote which, under the rules of procedure, is a secret vote. If the Council wishes to change this type of voting and make it a public vote, we see no objection to that. But since the rules provide for a secret vote, all these observations seem to us out of order.

Mr. LOBANOV (Union of Soviet Socialist Republics) (interpretation from Russian): I have asked for the floor in order to reply to the desire expressed here by the representative of Australia. I would be glad to comply with his wishes, but the practice which has been adopted by some members in this Council makes it impossible for me to do so.

AGENDA ITEM 16

EFFECTS OF THE EUROPEAN ECONOMIC COMMUNITY ON THE DEVELOPMENT OF CERTAIN TRUST TERRITORIES (T/L.865 and Add.1, L.873) (continued)

The PRESIDENT (interpretation from French): It should be recalled that this question was discussed by the Council at its 926th meeting. During that discussion, a number of suggestions were made by the delegations of India, Guatemala, and the Soviet Union, but the Council decided to postpone consideration to a later date.

The Council has now before it the proposal of Guatemala and India (T/L.873).

I will call on the representative of India to introduce the joint proposal of the two delegations.

Mr. JAIPAL (India): Actually, I do not think that any formal introduction of this draft is necessary. As the members will see, it follows the lines of the suggestions which were made in the Council at its previous meeting when we discussed this question. All we have suggested here is to point out that because of the absence of certain fundamental information, the Council has not been able to assess the effects of the association of the Trust Territories with the European Economic Community. However, we want to convey also the impression that we regard this as an important matter and that we will continue to keep this matter under review and undertake a more detailed study when more information is available.

I might also point out that one important essential or prerequisite for a detailed examination of this question is information which must be submitted by the administering members. The revised draft requests the Administering Authorities to submit such information at the earliest possible moment.

That is all I should like to say at the moment. If any further clarifications are desired, I shall be glad to oblige.

Mr. KIANG (China): I hesitate very much to comment on this draft which I think is quite reasonable, but there is one paragraph in that draft separate section, namely the second paragraph, on which my delegation has some scepticism. I will state the reasons. First, I will say that in light of the discussion which took place in the Fourth Committee last year, the present text as proposed by Guatemala and India seems to be more realistic and to have placed the matter in a proper perspective.

However, the reservations which my delegation has are in relation to the second underlined paragraph. As we all know, the association of the overseas Territories with the common market is to take place through the establishment of a free trade area and through participation by the European States in investments for public works in the Territories. Where we talk about the possible effects of the association of the Trust Territories with the Community, we naturally think more of the effects of the ultimate outcome of the arrangement for the establishment of a free trade area comprising the common market and overseas countries and Territories which is expected to be reached only after a period of time, say, twelve or fifteen years. During this period of twelve or fifteen years, there will be changes in the tariffs of the six contracting countries directed mainly, I think, to the common tariffs for imports and the elimination of the duty on supplies from the overseas Territories.

At the same time, during this transitional period as I call it, we may find an increase of production and new lines of production in the overseas Territories. In view of what I have said, in terms of the various aspects which we may have to bear in mind in assessing the probable effects of the association of overseas Territories, particularly the association of the primary producing

(Mr. Kiang, China)

areas with industrial countries, I wish to emphasize once more that it will be some time before we in this Council can express any sound views on the effects of the association of the Trust Territories with the European Common Market. It is in the light of this observation that I have just submitted that my delegation will vote for the draft separate section, with the reservation I have just stated.

In order to clear up one misunderstanding which could possibly arise from what I have said in connexion with the so-called transitional period of time of twelve or fifteen years, if we study the Rome Treaty very carefully, we know that the implementing Convention relating to the association of the overseas countries and Territories in the European Common Market has been concluded for a period of only five years. Of course, we may assume that that implementing Convention may be renewed in order to apply the provisions of article 133 of the Rome Treaty, in order to invoke those provisions.

I have tried my best to state in very simple language the implications which, to my delegation, are very important. That is to say, it will be very difficult even next year for anyone who is very well versed in the economic conditions in Europe and in those Territories to make a correct evaluation of the probable effects. It is for this reason that I wish to record the reservations which we have in mind in voting for this text.

Mr. OSMAN (United Arab Republic) : My delegation attaches great importance to the problem of the effects of the European Economic Community on the development of Trust Territories and non-self-governing Territories in general. That is why we are in complete agreement with the idea expressed by the representative of India which has motivated the amendment put forward in T/L.873. Nevertheless, I would like to suggest some modification to that draft separate section to bring it more into consonance with General Assembly resolution 1210 (XII). I hope this modification will be accepted by the authors of the proposal.

(Mr. Osman,
United Arab Republic)

In the second underlined paragraph I propose the deletion of the first sentence reading:

"The Council decides to undertake a thorough study of the question at its sessions in 1959 and to submit a detailed report thereon to the General Assembly at its fourteenth session."

The second modification I propose is to delete the words "to it" from the third line of the second sentence and to add a phrase at the end so that the text would read:

"In this connexion, it requests the Administering Authorities of the Trust Territories affected to submit at the earliest possible moment detailed information on the association of those Territories with the European Economic Community and on the possible effects of such association on their development for consideration by the General Assembly at its thirteenth session in accordance with resolution 1210 (XII)."

Mr. KOSCZIUSKO-MORIZET (France) (interpretation from French): In its resolution 1210, the General Assembly has asked the Trusteeship Council to include, in the report which it will submit at the thirteenth session, a special section which will deal with the effects on the Community of the development of certain Trust Territories. In making the report, the information supplied by the Administering Authority was to be taken into account and also the results of any studies which might be made by the Secretary-General, the Economic and Social Council, the Economic Commission for Asia and the Far East, and the Economic Commission for Latin America. But it so happened that when we tried to prepare the report the file was empty or almost empty. However this is a situation which we had foreseen. In his wisdom, the representative of India notes that the information indeed is not available. On that point, some delegations -- to whom I apologize for answering so late, but the debate was interrupted -- and in particular the delegation of the Soviet Union, accused the Administering Authority of being engaged in a conspiracy of silence. Their surprise at the situation astonishes me, for it is one which we had foreseen during the General Assembly, when we voted against this resolution. Why did we vote against this resolution? It was because we had made a common-sense observation; namely, that the Treaty on the European Economic Community was to take effect after 1958. Since 1958 was the year during which the institution was to be established, the Treaty could not be in force in 1958. There could, therefore, be no question of supplying information upon something which did not yet exist. It is our habit to submit exact, accurate, serious information, and it would not have been serious on our part to engage in speculation or prophecy, in dealing with situations which have not yet come into existence.

I believe that the representative of the Soviet Union went further than I have just indicated, since he accused us, somewhat gratuitously, of violating the Trusteeship Agreement and delaying the economic development of the Territories concerned. I shall not reply to this, since I have already replied at the time of the General Assembly session. As to the first point, it is quite clear that the Treaty of Rome provides for co-operation with the United Nations, and therefore it cannot conflict with the Trusteeship Agreements.

On the other hand, as far as the economic development of these Territories is concerned, I shall limit myself to recalling that in the Economic Commission for Latin America and the Economic Commission for Asia and the Far East and also GATT,

(Mr. Kuscziusko-Morizet, France)

criticism was directed at the Administering Authorities because undue advantages had been granted the Trust Territories which might lead to competition with other countries.

Thus we see that the Administering Authority is being criticized for being too lenient towards the Trust Territories on the one hand, and on the other hand is being accused of delaying the economic development of the Trust Territories, but I do not wish to engage in debate upon this.

We have before us a draft resolution, some paragraphs of which we can accept. There are other paragraphs which we cannot accept, for reasons I have already mentioned. I will therefore ask for a separate vote on the paragraphs of the draft resolution offered by Guatemala and India. In respect to each of these paragraphs, I reserve my right to explain the position of my delegation.

Mr. JAIPAL (India): As one of the sponsors of this draft resolution, I feel it my duty to make a few additional observations, following those just expressed by the previous speakers. There is, of course, a good deal of substance in the point of view expressed by Mr. Kiang and the arguments made by Mr. Koscziusko-Morizet. It is because we share those views to some extent that our own draft suggests that before the Council can undertake any appraisal of this association, it should have not only information of a basic character from the Administering members, but also their own assessment of the anticipated effects of this economic association.

We consider that the Administering Authorities concerned will be in a better position than the Council to do this, even now. We do know that this new arrangement has not yet come into effect, but surely the authors of this arrangement should be in a position to tell us of its anticipated effects.

As regards the amendments proposed by the representative of the United Arab Republic, while of course we sympathize with the reasons which led him to make these proposals, we would like to suggest to him, most respectfully that for technical reasons we would be obliged if he would not press us to accept his amendments. For one thing, it would require some time for me to consult with the other sponsor of this draft resolution. I would be much obliged, therefore, if the President could put the amendments proposed by the representative of the United Arab Republic separately to the vote. We would naturally vote for those amendments.

The PRESIDENT (interpretation from French): If there are no other speakers, we can proceed to vote on document T/L.873. We have before us amendments from the representative of the United Arab Republic. The first of these amendments would delete the first sentence from the second paragraph of the operative part, beginning: "The Council decides" down to the words "at its fourteenth session".

Mr. JAIPAL (India): I wish to raise a point of procedure. The representative of the United Arab Republic did not put forward two amendments. As a matter of fact he put forward one composite amendment which involved deletion of one sentence and the addition of a few words at the end. I would be grateful therefore if you would put his amendment to the vote as a whole, and not separately, because that was his intention.

The PRESIDENT (interpretation from French): I believe the representative of India is right. We can vote at one time on the amendments proposed by the representative of the United Arab Republic. These amendments are interlinked, for if what he adds is adopted, then the first part of the second paragraph will be contradictory.

The amendments were rejected by 7 votes to 6, with 1 abstention.

Mr. LOBANOV (Union of Soviet Socialist Republics) (interpretation from Russian): Mr. President, if you intend to vote on the draft proposed by Guatemala and India, I ask you to take a separate vote on the first sentence of the second paragraph, that is, on the part which the representative of the United Arab Republic proposed to delete.

Mr. KOSCIUSKO-MORIZET (France) (interpretation from French): I am very glad that the representative of the Soviet Union approves and supports my proposal for a separate vote.

The PRESIDENT (interpretation from French): We shall therefore take separate votes with regard to the draft separate section (T/L.873) submitted by Guatemala and India containing a conclusion and recommendation.

The first paragraph was adopted by 13 votes to none, with 1 abstention.

The first sentence of the second paragraph was rejected by 7 votes to 5, with 2 abstentions.

Mr. LOBANOV (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation wishes to explain its vote. We abstained from the vote on the first sentence of the second paragraph since the recommendation contained therein to submit a report to the General Assembly at its fourteenth session is in conflict with resolution 1210 (XII) of the General Assembly, paragraph 3 of which obliges the Trusteeship Council to submit a report to the thirteenth session inasmuch as the General Assembly at its thirteenth session will resume the consideration of this question. Therefore, the Soviet delegation abstained from the vote on this sentence.

Mr. SMOLDEREN (Belgium)(interpretation from French): I also wish to explain my vote, but I do not wish to interrupt the voting procedure inasmuch as the representative of the USSR objected to this yesterday.

The PRESIDENT (interpretation from French): We shall now vote on the balance of the second paragraph.

There were 7 votes in favour and 7 against.

After a brief recess in accordance with rule 38 of the rules of procedure of the Trusteeship Council, a second vote was taken.

There were 7 votes in favour and 7 against. The balance of the second paragraph was not adopted.

Mr. KOSCZIUSKO-MORIZET (France)(interpretation from French): I wish to explain my negative vote. There is no question of refusing our co-operation as Administering Authority to the Trusteeship Council or to the United Nations. We shall submit at the appropriate time the information available to us. However, this last sentence made a commitment for the future. We are not prophets and we cannot give information on effects before they are a reality. That is why we were against this sentence. But there is no intention, I repeat, on our part to refuse to give information once we have it available.

Sir Andrew COHEN (United Kingdom): I should like to explain my vote on this question. This matter was debated in the Fourth Committee at the last session of the General Assembly, and my delegation explained then that in our view matters of this sort were functional economic matters which should be considered in the appropriate economic organs. There has been discussion, for example, in GATT on the subject. I am not so much concerned with the detailed wording of this section, but, as now before us, the section appears not to be consistent with the view which we then took. I therefore voted against the last paragraph of it.

Mr. SMOLDEREN (Belgium)(interpretation from French): The Belgian delegation voted in favour of the first paragraph of the conclusion and recommendation to be found in document T/L.873 because that paragraph simply consecrates a situation which has been explained by my delegation at the twelfth session of the General Assembly.

(Mr. Smolderen, Belgium)

My delegation voted against the second paragraph because we were of the opinion that it would be impossible to foresee at the present time when the effects of association with the Common Market will be felt in these Trust Territories. Thus, under present circumstances, we cannot commit ourselves to supply to the Trusteeship Council in the next annual report on Ruanda-Urundi any information on this matter. For these same reasons, we voted against the amendments submitted by the United Arab Republic.

Mr. PLAJA (Italy)(interpretation from French): The position of the Italian delegation on this question has been clearly stated in the General Assembly. I wish merely to repeat here, in associating myself with what was said by the representative of France, that, as regards the Territory of Somaliland, the Administering Authority will not fail to submit all necessary information and to co-operate with the Council. Since in our annual report we have always given the fullest information on all questions relating to the Trust Territory, there would be no difficulty with regard to including questions which are related to the European Economic Community. However, the text as formulated in the second part, on which we have voted, was not acceptable to us and that is why we voted against it.

Mr. JAIPAL (India): Since we moved this proposal, this is not by way of explaining my vote, which I think is somewhat obvious. We regret very much that the second paragraph of the draft resolution has been rejected by the Council. We have listened to the explanation of votes cast by the Administering Authorities directly affected by this economic arrangement. We are glad to note from them that it is not their intention to deny to the Council information on this Association at a proper time. I must say that we are a little mystified and disappointed by the negative votes cast by the Administering members who are not affected by this European Economic Community.

AGENDA ITEM 8

ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES: REPORT OF THE STANDING COMMITTEE ON ADMINISTRATIVE UNIONS (T/L.868)

The PRESIDENT (interpretation from French): The Council has before it the Report of the Standing Committee on Administrative Unions, document T/L.868. I call on the Chairman of the Standing Committee, the representative of New Zealand, who will submit and introduce his report.

Mr. THORP (New Zealand) (Chairman of the Standing Committee): The report in document T/L.868, which it is my duty as Chairman of the Standing Committee on Administrative Unions to present, completes the work of the Committee for this year. It deals with the Administrative Union existing between the Trust Territory of New Guinea under Australian administration and Papua. It is a short report, which is self-explanatory, and needs no further introduction. The Committee does not submit its observations for approval by the Council which may, however, wish to take note of them.

The PRESIDENT (interpretation from French): I shall read paragraph 21 of the report:

(The President)

"The Standing Committee, having regard to the previous recommendations adopted by the Trusteeship Council concerning the administrative union affecting the Trust Territory of New Guinea, decides that, in the absence of any new significant developments affecting the administrative union, it has nothing to add to its previous conclusions and recommendations."

If there are no further comments, I propose that the Council take note of the report of the Standing Committee on Administrative Unions.

Mr. LOBANOV (Union of Soviet Socialist Republics) (interpretation from Russian): May I ask you to put this paragraph to a vote?

The PRESIDENT (interpretation from French): Paragraph 21 of document T/L.868 contains the conclusions of the Standing Committee on Administrative Unions. These conclusions stand by themselves. They were adopted by a committee which acted freely. All that we or any delegation can do here is introduce another proposal; but it is not for the Council to change the text of the conclusions adopted by one of our committees. Of course, any delegation may formulate another proposal.

Mr. LOBANOV (Union of Soviet Socialist Republics) (interpretation from Russian): May I ask you what the role of the Council is? As regards the consideration of this report which is in our agenda, what is expected of the Council?

The PRESIDENT (interpretation from French): The Council can take note of or accept or reject the report of the Committee, or it can formulate other proposals, if deemed necessary.

Mr. LOBANOV (Union of Soviet Socialist Republics) (interpretation from Russian): Hence, if I understood you correctly, we have your proposal to take note of the report. If you introduced the proposal to take note of the report, then I ask you to put that proposal to a vote.

Mr. JAIPAL (India): I should appreciate some clarification either from you, Mr. President, or from the Chairman of the Standing Committee on Administrative Unions. What is going to be the status of this report? Is this going to be communicated to the General Assembly as a part of the Council's report, or is it simply a routine report for the information of this body? Is it open to the Standing Committee not to put forward any recommendations to the Council? Is that what it has done here?

In the past, I think the Standing Committee has put forward certain draft recommendations to the Council either for adoption or rejection. In this case, for certain reasons which I think are obvious, the Standing Committee has not communicated a draft recommendation to the Council because, apparently, it has nothing new to suggest. Is that the situation?

Mr. THORP (New Zealand) (Chairman of the Standing Committee): I believe that this is, by no means, a unique occurrence in the life of the Standing Committee. It was my impression that, under the chairmanship of the representative of India, we adopted a similar position in the Standing Committee, though I am subject to correction on this. Certainly, the Standing Committee has never interpreted its functions as making it incumbent upon it to put any proposals to the Council for approval, any more than other committees which may be standing committees working for the Council.

This is a subject concerning which the Secretariat has a wealth of background. If the representative of India does not find this a complete explanation, I am sure that further explanations could be forthcoming.

Mr. JAIPAL (India): I am grateful for the clarification just provided. I think the Chairman of the Standing Committee confirms my impression that, in the light of the information which the Committee had, it had no recommendations to put forward to the Council. That is satisfactory as far as it goes. What would be the position so far as reporting to the General Assembly is concerned? Could the Council's Secretary explain that to me?

The PRESIDENT (interpretation from French): In case the Standing Committee on Administrative Unions makes recommendations or adopts precise resolutions, these are normally made part of that section of the report dealing with the Territories to which the matter refers. When, as is the case here, no particular recommendation is made, our report to the General Assembly simply sets forth under the heading of Administrative Unions affecting Trust Territories the conclusions reached by the Standing Committee on Administrative Unions.

Mr. LOBANOV (Union of Soviet Socialist Republics) (interpretation from Russian): Mr. President, after the clarification which you were good enough to give us, there can be no doubt that the Council must define its attitude as to what it will include in its report to the General Assembly; that is, it must either reject or confirm the paragraph which is to be included in the report of the Council. There can be no other view.

The PRESIDENT (interpretation from French): We shall now vote on the proposal that we take note of the report of the Standing Committee on Administrative Unions in order that our report to the General Assembly will refer to this matter in its proper place.

The Trusteeship Council took note of the report of the Standing Committee on Administrative Unions (T/L.868) by 9 votes to 3, with 2 abstentions.

Mr. LOBANOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to explain my vote.

The Soviet delegation voted against the proposal to include in the report of the Trusteeship Council the paragraph which was drawn up by the Standing Committee on Administrative Unions. The reasons which led us to vote against this proposal are stated at length in the statement of the representative of the Soviet Union on 7 July, a statement which was made during the discussion of the situation in the Trust Territory of New Guinea. At this time we feel that

we must stress the fact that the Committee's reference to the lack of any new facts concerning administrative unions is unjustified since the Committee has not taken into account many statements which were made during the general discussion. In particular, the Committee also unjustifiably ignored the joint communique issued by the Netherlands and Australia which proclaimed the general principles underlying the policies of the two Powers in respect of all of New Guinea, including West Irian which is an inalienable part of the sovereign State of Indonesia. The joint communique that I have just mentioned had as its aim the legalizing of the colonial status of West Irian; this is inconsistent with the Trusteeship Agreement on New Guinea.

In view of everything which it has stated, the Soviet delegation voted against the conclusion of the Committee.

Mr. URRUTIA APARICIO (Guatemala) (interpretation from Spanish): In paragraph 22 of the report before us, it will be noted that the delegation of Guatemala voted in the negative in the Standing Committee both with regard to the conclusion to be found in paragraph 21 as well as with regard to the report as a whole because of the reasons which we stated in records 89, 99, 116, 117 and 118.

The delegation of Guatemala maintains the point of view that the Standing Committee on Administrative Unions has as its primary function the study of the basic practice of administrative unions as they pertain to Trust Territories, in conformity with the principles of the Charter of the United Nations and the International Trusteeship System. Since in the present case the Administrative Union affecting New Guinea is a union of a political nature and contrary to the Trusteeship System, my delegation is of the opinion that the report should contain a resolution or conclusion pointing out the political nature of that Union as well as the danger which it represents for the future development of the Territory.

We feel that in the case of New Guinea an inaccurate explanation is being made, an excessively extensive application of the concept of Administrative Union, an application which is contrary to the Trusteeship System because it constitutes an obstacle to its political development inasmuch as it does not provide the Territory with its own representative organs.

All this goes to explain our negative vote.

Mr. KELLY (Australia): I think it is sufficient for me to observe initially that article 5 of the Trusteeship Agreement quite clearly gives the Administering Authority, Australia, a discretion to establish common services between the Trust Territory of New Guinea and other Territories dependent on Australia if, in the opinion of the Administering Authority, it is in the interests of the Territory and not inconsistent with the basic objectives of the Trusteeship System to do so.

In the opinion of the Administering Authority, the action it has taken to establish an Administrative Union between the Territory of Papua and the Trust Territory of New Guinea is in the interests of the Trust Territory of New Guinea and is completely and perfectly consistent with the basic objectives of the Trusteeship System.

Secondly, I should observe that the joint declaration or the parallel statements made by the Governments of Australia and the Netherlands with respect to these several Territories in the island of New Guinea did not involve the establishment of anything in the nature of an administrative union. To that extent, therefore, it seems to me that the observations of the representative of the Soviet Union are completely irrelevant.

I need only conclude by reaffirming that, in the opinion of the Australian Government, the Netherlands exercises sovereignty in the Territory of Netherlands New Guinea and that the action taken by the Administering Authority to co-operate with the Administration of that neighbouring Territory, Netherlands New Guinea, is perfectly consistent with, is almost implied in and springs from the principles and ideals of the Charter.

AGENDA ITEM 4

EXAMINATION OF PETITIONS: 221ST AND 222ND REPORTS OF THE STANDING COMMITTEE ON PETITIONS (T/L.861, L.862)

The PRESIDENT (interpretation from French): We shall vote first on the draft resolution appearing in the annex to document T/L.861.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics)(interpretation from Russian): I wish to propose the following text as a separate paragraph to be added to the draft resolution. This amendment may be found in paragraph 25 of the Committee's report and reads as follows:

"The Trusteeship Council recommends that the next Visiting Mission to the Territory should take the petition into account and that it should examine on the spot how the Tolai Cocoa Project operated, evaluate this operation from the standpoint of the benefits gained by the indigenous inhabitants from the scheme and report its views thereon to the Council."

The USSR amendment was rejected by 7 votes to 6, with 1 abstention.

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

Mr. BENDRYSHEV (Union of Soviet Socialist Republics)(interpretation from Russian): My delegation voted against the draft resolution because it did not find it to be satisfactory. The present vote shows once again the attitude of the Administering Authorities to the consideration of petitions in the United Nations. By the vote of the Administering Authorities a proposal was rejected to the effect that the Visiting Mission, which will visit the Territory in the near future, should investigate, on the spot, serious complaints in respect of a project upon which depends the well-being of a large group of indigenous inhabitants of the Territory who are producers of cocoa.

Mr. KELLY (Australia): With reference to the observations just made by the representative of the USSR, I might remind him and all the members of the Council that no indigenous inhabitants have sent any petitions to the Council respecting the operations of this Tolai cocoa co-operative project. But if I

(Mr. Kelly, Australia)

wanted any ground for voting against the addition proposed, as suggested by the representative of the Soviet Union, I could find it in the language he actually proposed. At great cost to the Administering Authority and at great cost to the United Nations, the special representative of the Trust Territory placed fully before this Council and before the Standing Committee on Petitions all the facts relative to the Tolai Cocoa Project and notwithstanding that the representative of the Soviet Union proposed an amendment which made no reference to the observations of the Administering Authority, once again betraying that lack of objectivity which, continued over the years, has possibly had the effect of discouraging some of the non-administering Powers at least from voting for the selection of the USSR for a Visiting Mission.

Mr. BENDRYSHEV (Union of Soviet Socialist Republics)(interpretation from Russian): I wish to apologize for taking up the time of the Council, but the representative of Australia has once again confused everything. He speaks of the Soviet representative excluding some reference to the observations of the Administering Authority. But this is contained in paragraph 1 of the resolution. As regards my proposal, I said that I wished to have an additional paragraph and I proposed a text. Apparently the representative of Australia has once again been confused, as he has been previously.

Mr. KELLY (Australia): I once more point out for the record that the representative of the USSR asked the next Visiting Mission to take the petition into account. He did not suggest that the next Visiting Mission should take into account the observations on this petition furnished by the Administering Authority.

Mr. de CAMARET (France)(interpretation from French): The representative of Australia was very clear and there is no confusion about the statement which he made concerning the petition. My delegation voted against the amendment of the Soviet Union because in the debate in the Committee it was established that

(Mr. de Camaret, France)

the Committee was well informed regarding the policy which the Administering Authority is following in the Territory. We spent about an hour or an hour and a half considering this petition and I believe that the Australian delegation can in no way be criticised as far as the documents which were submitted to the Council are concerned.

The recommendation contained in the second sentence of paragraph 27 was adopted by 7 votes to 1, with 6 abstentions.

The PRESIDENT (interpretation from French): We shall now vote on the draft resolution which appears in the annex to document T/L.862.

The draft resolution was adopted by 8 votes to none, with six abstentions.

The recommendation contained in paragraph 10 of the report (T/L.862) was adopted by 7 votes to none, with 7 abstentions.

The meeting was suspended at 3.50 p.m. and resumed at 4.15 p.m.

AGENDA ITEM 22

REVISION OF RULE 21 OF THE RULES OF PROCEDURE (T/L.871)

The PRESIDENT (interpretation from French): We come now to the last item on our agenda for the day. The Council has before it the draft resolution submitted jointly by the delegations of Belgium and Guatemala, document T/L.871. I call upon the representative of Guatemala to explain the document.

Mr. URRUTIA APARICIO (Guatemala)(interpretation from Spanish): On 10 July 1958, the representative of Guatemala in the Trusteeship Council requested the President to include in the agenda of the Council an item relating to the amendment of rule 21 of the rules of procedure. It was recalled that that rule referred to the procedure to be followed in case of the absence of the President, and that it was added that the absence of President Arenales Catalan of Guatemala, who was to preside over the Council this year, was not the first case in the history of the Trusteeship Council where this had occurred. My delegation observed that no one could replace the Vice-President who might temporarily be serving as President of the Council if the Vice-President himself had to be absent. It was indicated, further, that there were serious doubts with regard to the aforementioned rule 21. The representative of Guatemala also stated -- and I take the liberty of emphasizing his statement now -- that the present language of rule 21 did not reflect with sufficient clarity the arrangement that each year the office of President should alternate between administering countries and non-administering countries. I will take the liberty of adding that rule 21 does not draw a distinction between the temporary absence of the President, in which case the Vice-President shall act temporarily as President, and a definite absence of the President. In such a case no one could replace the Vice-President who was acting temporarily as President if the Vice-President himself should have to be absent temporarily.

The delegation of Guatemala would ask that all Council members consider that in a case where the Vice-President was serving as President during the temporary absence of the President himself, the balance between administering and non-administering countries would not be maintained. In view of these circumstances the delegations of Belgium and Guatemala have prepared a draft resolution, document T/L.871 dated 24 July 1958, designed to overcome these difficulties and provide a much better drafting of rule 21. We should like to emphasize that in suggesting these changes we are inspired only by a desire to perfect the procedural operation of this Council. That is why the representative of Guatemala, on 10 July, said:

(continued in English)

"... my delegation did not consider it either tactful or proper to ask for the inscription on the agenda of a new item relating to the amendment of rule 21, for we would by no means wish to give any impression, however faint, that we were animated by any personal motives in proposing such an amendment. For that reason we waited to submit our proposal until today when the Council was at last approaching the end of its work. In this connexion we should like to place on record the expression of our respect and esteem for Mr. Claeys-Bouuaert, who has presided over the Council at its twenty-second session with his well known experience and ability." (T/PV.916, p. 116)

Mr. SMOLDEREN (Belgium)(interpretation from French): The Belgian delegation is very glad to be able to present jointly with Guatemala draft resolution T/L.871 which calls for revision of rule 21. My colleague and friend from Guatemala has commented on the provisions of the draft, and I have little to add to what he has just said. We were anxious to draft a text which would be as simple and clear as possible. Anything which pertains to the Presidency is indeed a delicate matter. Therefore we felt that we should have discussions later in this Council concerning these personal questions. In this connexion I wish to point out that when we say, in the second paragraph, that "the President could no longer discharge his duties" we had in mind the resignation or recall of the President, without however excluding other possibilities. The ideal rule

certainly would be one which would make possible, as far as practicable an automatic application of the rules of procedure and one which would avoid the ambiguities which so often give rise to divergent interpretations.

In making this statement I am not losing sight of the fact that the intentions of the authors of this draft are of some importance if one should attempt to understand the text in the light of difficulties which might arise in the future.

Finally, I wish to point out that while I am in full agreement with my colleague from Guatemala as regards the draft resolution and the meaning which is to be given to it, I cannot share fully some of the opinions put forward by him as regards the motive for this proposed change. In my view, rule 21 in its present wording is entirely clear, and does not contain any gap. In case of the temporary or final absence of the President, it is the Vice-President who discharges his functions. This rule has never been contested by anyone. This is perhaps the only rule of our rules of procedure, the application of which has never been contested. If I felt that I should associate myself with the proposed provision of this rule, it was mainly to provide for the convenience of the President, when the Vice-President is not available, or the convenience of the Vice-President when there is no President.

In fact, my delegation is in a better position than any other to judge the magnitude of the President's burdens, and we realize that the absence of the one who is now solely responsible for the conduct of business of this Council would have left the Council in a difficult position. Nevertheless I feel that the revision must be adopted by the widest possible majority.

Sir Andrew COHEN (United Kingdom): I intervene only for the purpose of clarification. I may say that this revision of the rules seems to my delegation to be quite acceptable, upon one understanding, and that is the assumption which I believe I would be correct in making -- I just want to confirm this -- that it would be the intention that if adopted by this Council this rule would come into force on 1 January 1959. I should like to ask the authors of the resolution whether I should be correct in assuming that.

The PRESIDENT (interpretation from French): At this stage of our debate I believe it will be useful for me to say that under rule 21 I have taken the place during this session of the distinguished diplomat Mr. Arenales Catalan. We all have an excellent memory of him, and the Council elected him for a year at the beginning of its regular session in January. I am anxious to say that in my sincere opinion the question of the date on which our new rule should be introduced is one which should be settled without any consideration for personalities. I am at the disposal of the Council, and I wish in conclusion to thank the Guatemalan representative for what he has said about me.

Mr. KOSCZIUSKO-MORIZET (France) (interpretation from French): First of all I should like to make an observation as to the drafting of the text submitted to us in its French version. In paragraph 2 we see the words "in the event for any reason the President is no longer able to act, the Council shall elect "pourvoira"". We should have the present tense in French, and therefore to be logical we should use the present tense in the first paragraph. In English we have the future tense, but we should have the present tense in French. This was the status of the former rule 21, which used the present tense in French.

To go now to a matter of substance, I would like to say that the French delegation is very grateful to the President for his presence here. We know that this debate should reach a conclusion without taking into account any questions of personality. When we legislate here we must legislate without necessarily taking into account present circumstances or personalities. We must somehow overlook the present circumstances, and in this connexion I would support the comment made by the representative of the United Kingdom with regard to the date on which this revised rule should come into force.

Mr. SMOLDEREN (Belgium) (interpretation from French): I am very glad that my French colleague made an observation concerning the future tense used in the new wording of rule 21. This question was debated at length between the Guatemalan delegation and my own. In fact, I pointed out that in the old rule 21 and in all the rules of our rules of procedure we use the present tense, and in a very general sense, as if we were affirming a philosophical truth. Unfortunately this is not the case with the English and Spanish versions of the rules of procedure. Hence in order to bring this text into line we were faced with a slight problem.

(Mr. Smolderen, Belgium)

However, we have maintained the future tense for reasons of clarity. Indeed, in the first paragraph, we read that the Vice-President shall have the same powers and duties as the President. This of course is the case where the Vice-President takes the place of the President, but not in the normal case where there is a President who is acting in that capacity. If we put this sentence in the present tense, then we have to redraft paragraph 1 and say, for example, "If the President should be temporarily absent, his functions will be carried out in the same conditions by the Vice-President." We wish to adhere as closely as possible to the original wording, and we have this language in the old rule 21. This is why we use the future tense. However, if the representative of France feels that we have to make this change in all rules, then I am all for it. I merely wish to tell him at this stage that we did not overlook this point.

Mr. KOSCZIUSKO-MORIZET (France) (interpretation from French): I see the point of the observations of my colleague from Belgium. In that case, however, we will have a rule 21 which uses the future tense, whereas the balance of the rules of procedure in the French text will use the present tense. If, in paragraph 1, there is no grammatical or stylistic objection to putting these two verbs into the future tense, there is something which sounds disagreeable to the French ear in the French text of paragraph 2, which states:

"Au cas où, pour une raison quelconque, le Président n'est plus en mesure ... le Conseil pourvoira ...".

We have a small difficulty there.

Mr. SMOLDEREN (Belgium) (interpretation from French): If my colleague from Guatemala agrees, I shall propose the following: for aesthetic reasons, as far as the French text of our rules of procedure is concerned, we can make the purely stylistic changes proposed by the representative of France, but in the English and French versions, the text will retain the future tense. We should not have a text in the present tense in the English version when all the other articles are in the future tense. Article 21, in the original French version, will then read:

"1. En cas d'absence temporaire du Président, ses fonctions sont exercées, dans les mêmes conditions, par le Vice-Président."

The rest is omitted. "Dans les mêmes conditions" will replace the words "qui aura les mêmes droits et les mêmes devoirs que le Président." Paragraph 2 will be put entirely into the present tense. I think this will not affect the substance of the proposal.

Mr. KOSCZIUSKO-MORIZET (France) (interpretation from French): I entirely agree with the suggestion of my Belgian colleague.

Mr. KELLY (Australia): Nobody having dissented from the view expressed by the representative of the United Kingdom, I take it that in voting on this proposed amendment to rule 21 the Council is unanimously agreed that the amendment will come into effect on 1 January 1959.

(Mr. Kelly, Australia)

That having been said, I want to indicate my general approval of this proposed amendment, but I do see in the language of it a couple of minor inconsistencies. It seems to me that the second part of the proposed amendment could be held to conflict with the first part because in the English text the second part makes it clear that if the President, for any reason, including temporary absence, is no longer able to act, "the Council shall elect a new President for the unexpired term." The Spanish text has the phrase "por cualquier razón" which is just as sweeping as the English phrase "for any reason". I suggest that the sponsors may be disposed to include after the words "for any reason" the words "other than temporary absence" to make the text incontestably clear.

I have a difficulty with regard to the second sentence of the second part of this proposed amendment. It has the effect, in my opinion of prescribing that

"The same procedure shall be followed in the event that the Vice-President for any reason is no longer able to act in that capacity."

In other words, unless we insert the words "other than temporary absence" after the words "for any reason" in the second sentence of paragraph 2 of the proposed new rule the Council will be free to elect a new Vice-President if the existing Vice-President is absent for only half a day.

I offer these observations to the sponsors of the draft resolution without formally committing myself to them. But I think that even this proposed amendment is capable of being the subject of comment later to the effect that gaps have been created which have not been taken into account.

I also observe that the proposed new rule makes no provision for the temporary absence of the Vice-President when that occurs on the occasion of the temporary absence of the President. But I assume that we need not make provision for such a conjunction of absences.

Mr. THORP (New Zealand): There seems to be no difference of opinion about the time of the coming into force of this amendment. But we did understand that when it was to be introduced it might be an agreed text which we could adopt without further drafting changes. Since the representative of Australia has put forward recent changes, I wonder whether we could not transfer

(Mr. Thorp, New Zealand)

this item to our special session when we could have a text which we could put through the Council in a few minutes rather than have a drafting committee at the end of this session on the floor of the Council.

Mr. SMOLDEREN (Belgium) (interpretation from French): As far as I am concerned, I am in a position to reply to the remarks which have been made by the representative of Australia. First of all I would say that in the case of temporary absence it has always been customary for the President and Vice-President to agree. When the President must absent himself for two or three days, he consults the Vice-President to see if he is available. I do not think there is any real difficulty there.

More important is the objection raised by the representative of Australia with regard to paragraph 2. He wants to insert a phrase reading "other than temporary absence." But when we say that the President is no longer able to act in that capacity, we are really thinking of a quite different case. If it is only a temporary absence, then the President is still in a position to discharge his functions. That is why I indicated in my recent statement that according to the sponsors of the draft resolution -- and their statements will be, I hope, in the verbatim record -- the expression "the President for any reason is no longer able to act in that capacity" appearing in paragraph 2 of the draft resolution referred to the hypothesis of the death or the recall of the President, without excluding other possibilities.

I believe that this statement which I have just made is an explanation which will also serve for the future. When there exists a doubt on this subject, one can refer to the opinion of the sponsors. It is what we had in mind, and not a simple temporary absence. I am sure that my Australian colleague will understand my reasons and will be satisfied with these explanations.

Mr. KELLY (Australia): For my part, I am satisfied with the explanation of the representative of Belgium. I had refrained from making any proposal to amend. As far as I am concerned, I am quite happy to vote on this proposed amendment now.

The PRESIDENT (interpretation from French): In that case, we need only ask the representative of New Zealand whether or not he has made a formal proposal to consider this at a later date. I believe that the Council is ready to vote immediately.

Mr. THORP (New Zealand): If we are voting on the assumption that this will come into force on 1 January and there are no differences of opinion on the text, I certainly make no formal proposal. I put forward a suggestion in case we got into drafting difficulties.

The PRESIDENT (interpretation from French): The representative of New Zealand therefore does not press for a postponement of this item.

Mr. SMOLDEREN (Belgium) (interpretation from French): Before the vote, I wish merely to repeat that there is a slight change in the original text according to the suggestion of the representative of France. The first paragraph reads as follows:

"En cas d'absence temporaire du Président, ses fonctions sont exercées dans les mêmes conditions par le Vice-Président."

The words "dans les mêmes conditions" replace the phrase which will be deleted, and paragraph 2 will be put into the present.

The PRESIDENT (interpretation from French): After the statements made by the various delegations, I consider that the proposal can now be put to a vote immediately, it being understood that the Council is deciding that this change in the rules will become effective on 1 January 1959

The draft resolution, as amended, was adopted by 13 votes to 1, with no abstentions.

Mr. DORSINVILLE (Haiti) (interpretation from French): I would like to explain my vote very briefly. I voted against the draft resolution submitted by Belgium and Guatemala because I was satisfied with the previous rule 21. In his recent statement, the representative of Belgium emphasized the fact that the provisions of rule 21 were perfectly satisfactory because they had worked very well during the course of time and no difficulty had ever arisen. My delegation is of the same opinion, and that is why we voted against this draft resolution submitted this afternoon.

Mr. SMOLDEREN (Belgium) (interpretation from French): I wish to thank the representative from Haiti for the statement which he just made. I can assure him that I understand his reasons fully.

The PRESIDENT (interpretation from French): The Council will meet next on Thursday at 10.30 a.m. and 2.30 p.m.

The meeting rose at 4.45 p.m.

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Trusteeship Council
22nd Session
46th Meeting (PM)

Press Release TR/1435
29 July 1958

TRUSTEESHIP COUNCIL -- TAKE 1

The Trusteeship Council this afternoon considered the question of arrangements to be made for sending a periodic visiting mission to the trust territories in the Pacific area in 1959.

The President, ALFRED CLAEYS BOUUAERT (Belgium), pointed out that the Council had before it a request (Doc.T/1387) by the New Zealand Government for a separate visiting mission with special terms of reference to be sent to Western Samoa.

There being no objection, the PRESIDENT said that the Council unanimously agreed to the New Zealand request.

New Zealand had stated in its request that Western Samoa was fast approaching full self-government. At the present rate of development, it considered that within the next few years the appropriate UN organs must be asked to give consideration to the termination of the trusteeship agreement for Western Samoa.

New Zealand suggested a separate visiting mission to examine all matters which would have to be taken into account when the question of terminating the trusteeship in Western Samoa was considered.

As a result of today's decision, the Council therefore will send two visiting missions to the Pacific next year. In addition to the visiting mission to Western Samoa, a mission will visit the remaining three territories in that area, namely, Nauru, New Guinea, and the Pacific Islands administered by the United States.

The Council then proceeded, by secret ballot, to elect the countries which will nominate the members of the visiting mission to Western Samoa.

It decided that these countries should be France, the United Kingdom, India and the United Arab Republic.

In the balloting, 13 valid votes were cast. The results were: France, 12; United Kingdom, 12; India, 11; United Arab Republic, 10; USSR, 3; and Haiti, 1. (Burma was absent.)

(END OF TAKE 1)

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Trusteeship Council
22nd Session
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29 July 1958

TRUSTEESHIP COUNCIL -- TAKE 2

The Council then proceeded, by secret ballot, to elect the countries which will nominate the members of the visiting mission to Nauru, New Guinea, and the Pacific Islands.

It decided that these countries should be Burma, Italy, Belgium and China.

In the balloting, 13 votes were cast. The results were as follows: Burma, 12; Italy, 12; Belgium, 11; China, 9; USSR, 3; and Guatemala, 2. (Burma was absent.)

The Council will take up at a later stage, either at the current session or at a subsequent session, the nominations of individuals for membership in the two visiting missions. It will also establish the terms of reference of the two missions.

Following the balloting, W.G. THORP (New Zealand) expressed his delegation's appreciation for the Council's unanimous support of New Zealand's request for a separate visiting mission to Western Samoa next year.

He assured the Council that the mission would be welcomed by the people of Samoa. The administering authority and the territorial government, he said, would do all in their power to assist the mission.

IVAN I. LOBANOV (USSR) protested against what he called the "systematic" exclusion of the USSR from participation in the Council's visiting missions to trust territories. The USSR, he noted, thus far had never taken part in any of the visiting missions. He charged that this was another evidence of the "abuse" by certain Council members of the "notorious voting machine."

RIKHI JAIPAL (India) said he had hoped that the USSR would be elected to nominate a member of one of the two missions to the Pacific. The exclusion of one Council member from participation in the visiting missions, he said, was "indeed unfortunate."

Sir ANDREW COHEN (United Kingdom), replying to the Soviet representative, said he thought it was most peculiar to allege that failure to vote for the USSR was a breach of the UN Charter.

(End of Take 2)

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TRUSTEESHIP COUNCIL -- TAKE 3

U THANT (Burma), in explaining his absence during the voting, said he had thought that today's meeting was to start at 2:30 p.m. Had he been present, he would have voted for the USSR. He felt that the claims of the USSR for participation in visiting missions were "very justified."

AHMED OSMAN (United Arab Republic) expressed regret that the USSR, a permanent member of the Council, thus far had not been permitted to participate in any visiting mission.

KEVIN T. KELLY (Australia) asked the USSR representative to withdraw his remarks describing the Council as a "notorious voting machine" which had been used in a "gross manner." This, he said, was uncalled for.

JACQUES KOSCIUSKO-MORIZET (France) said the statements just made amounted to explanations of vote. Since the votes in question were secret ballots, the observations, in his view, appeared to be out of order.

The Council then took up other business on today's agenda.

Effects of the European Economic Community on the
Development of Certain Trust Territories Associated with It

Last year, the General Assembly invited the administering authorities concerned to submit information on this subject. It also requested the Council to include a separate section on the subject in its next report to the Assembly.

The Council decided to inform the Assembly that it had kept the question under review but that, in the absence of detailed information of a fundamental character not available at present, it was not yet in a position to express its views on the effects of the association of the trust territories with the Community.

Report of the Standing Committee on
Administrative Unions Affecting Trust Territories

The Council took note of the report (Doc.T/L.868) which relates to the operation of the administrative union between the trust territory of New Guinea administered by Australia and the Australian territory of Papua.

(END OF TAKE 3)

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Trusteeship Council
22nd Session
46th Meeting (PM)

Press Release TR/1435
29 July 1958

TRUSTEESHIP COUNCIL -- TAKE 4

The Council continued consideration of other items on today's agenda.

Reports of the Standing Committee on Petitions

The 221st report (Doc. T/L.861) deals with a petition concerning conditions in New Guinea. The report proposes that the attention of the petitioner be drawn to the observations of the administering authority.

The Council approved this proposal by a vote of 7 to 2 with 5 abstentions.

The 222nd report (Doc. T/L.862) deals with a petition concerning conditions in Western Samoa. The report proposes that the attention of the petitioner be drawn to the observations of the special representative of the administering authority.

The Council approved this proposal by a vote of 8 in favor, none against with 6 abstentions.

Revision of Rule 21 of the Council's Rules of Procedure

Rule 21 is one of four rules which relate to the election of the President and Vice-President of the Council.

They provide that in the absence of the President, the Vice-President shall act as President. In the event the President for any reason is no longer able to act in that capacity, the Vice-President shall serve as President during the unexpired term.

However, the rules as they now stand do not provide for new elections to fill the unexpired term in the event the President or the Vice-President for any reason is no longer able to serve.

The President and the Vice-President, under the existing rules, are elected by the Council at its first annual session at the beginning of each calendar year and they serve for one year.

To meet the above problem, the Council decided, by 13 votes to one (Haiti), to revise rule 21 by providing for by-elections, should the need arise. The Council further agreed that this new revised rule would come into effect on 1 January 1959.

Max H. Dorsinville (Haiti) explained that he had voted against the revision because he was satisfied with the existing rule 21.

The Council will not meet tomorrow, 30 July, but will meet twice on Thursday, 31 July, at 10:30 a.m. and 2:30 p.m., when it will take up the reports of the drafting committees on Western Samoa and Somaliland.

(END OF TAKE 4 AND OF PRESS RELEASE TR/1435)