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VERBATIM RECORD OF THE ELEVEN HUNDRED AND EIGHTEENTH MEETING

Held at Headquarters, New York,
on Thursday, 31 May 1962, at 11 a.m.

President: Mr. BINGHAM (United States of America)

1. Opening of the twenty-ninth session.
2. Adoption of the agenda [1]
3. Report of the Trusteeship Council: methods of work and procedure of the Trusteeship Council [7]

Note: The Official Record of this meeting, i.e. the summary record, will appear in provisional mimeographed form under the symbol T/SR.1180 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

OPENING OF THE TWENTY-NINTH SESSION

The PRESIDENT: It is my privilege to declare open the twenty-ninth session of the Trusteeship Council. It is a pleasure to see at the table a number of familiar faces, and as President I welcome them. I should like also to welcome some new faces. I welcome Mr. Corner, of New Zealand, Mr. Morozov, of the Soviet Union and Mr. Noyes of the United States.

My personal hope, as President, is that in view of the many other meetings that will be taking place in the coming weeks the proceedings of the Trusteeship Council may be brief, while at the same time giving all necessary time for the consideration of the Council's problems. In order to set an example of brevity I shall forgo the privilege that has sometimes been exercised by the President of making introductory remarks at this time.

AGENDA ITEM 1

ADOPTION OF THE AGENDA (T/1588 and Add.1)

The agenda was adopted.

AGENDA ITEM 7

REPORT OF THE TRUSTEESHIP COUNCIL: METHODS OF WORK AND PROCEDURE OF THE TRUSTEESHIP COUNCIL (T/L.1038)

The PRESIDENT: We pass now to the consideration of methods of work and procedure. These, of course, are for the Council to decide, but I might put to representatives certain suggestions at least for the coming days of our work so that members can plan accordingly.

It is my suggestion, as President, that at this afternoon's meeting there should be the presentation of the report of the United States special representative covering conditions in the Trust Territory of the Pacific Islands. The verbatim record would then be available tomorrow morning and questioning of the special representative could begin tomorrow afternoon. The questioning would be resumed

on Monday afternoon and, if not concluded then, could be continued at a meeting on Tuesday morning. Representatives could then prepare their statements for the general debate which, it is proposed, could take place at two meetings on Wednesday. If the general debate were concluded on Wednesday there would be no meeting on Thursday. That would give the special representative an opportunity to prepare his closing statement, which could be made at a meeting on Friday afternoon. I would remind members of the Council that the General Assembly is to convene on Thursday afternoon and the Fourth Committee on Friday.

(The President)

In this way, it would be possible to conclude the examination of conditions in the Trust Territory of the Pacific Islands before the Council adjourns at the end of next week. The plan is then to resume the meetings of the Council to consider conditions in Nauru and New Guinea after the close of the resumed session; or, if that appears to be carrying on for any reason beyond the end of the month, it might be necessary for the Council to resume to consider conditions in Nauru and New Guinea simultaneously with the resumed session of the General Assembly. It might also be desirable, if members are in accord, to have a brief meeting to consider the report on the Trust Territory of the Pacific Islands in the interim.

If these proposals for a schedule for the coming days and for next week are agreeable to the Council, we could ask the Secretary of the Council to circulate a memorandum to that effect so that members may be able to make their plans.

Are there any observations on this proposed schedule or on any other matter concerning the work and procedure of the Council?

Mr. HOOD (Australia): I wish to take up just one point that you touched upon, Mr. President. You will understand the position of my delegation in the circumstances, that as we expect the appearance before the Council of a few persons in connexion with Nauru and New Guinea, we would like to have not a firm date -- that is impossible -- but an approximate date which can be indicated to the Government. I think you said that if the resumed session of the General Assembly went on beyond a certain time, the Council would in any case come back and take up its own session again. Would I be correct in thinking that this would be not later than the fourth week in June, let us say 23 or 24 June?

Sir Hugh FOOT (United Kingdom): Mr. President, I wish it were possible to say exactly when the report of the Visiting Mission to Nauru and New Guinea will be completed, but we have only just returned from New Guinea and we have the bulk of the work of completing that report still before us. It is not possible therefore for us to state exactly when the report will be completed. Also, I am not sure what the procedures will be when we have signed the report.

(Sir Hugh Foot, United Kingdom)

It has to be copied, it has to be circulated, and there must be some interval between the signing of the report and the time when we can discuss it in this Council.

I realise that it is awkward, for the delegation of Australia in particular, not to have a firm date to work to, but I am bound to say that as we look at our work at the moment it would be very difficult to undertake to say that the report can be completed in time for a meeting in the last week of June.

Mr. SALAMANCA (Bolivia)(interpretation from Spanish): I agree with what the representative of the United Kingdom has just stated. We have just returned from New Guinea, and I do not believe it would be possible to set any exact date for the presentation of our report. At the same time, I believe it might be desirable for us to defer decision on the precise date when we shall discuss this report until the last meeting of the Council at which the Trust Territory of the Pacific Islands is discussed. I believe that after a week we shall have a much better idea of when our report will be completed. We shall also have a clearer idea of how the resumed session of the General Assembly is going to proceed. Perhaps the Council will have to work during the mornings while the Assembly, during the afternoons, discusses the matter of Ruanda-Urundi.

In other words, since I do not believe we can at this time set an exact date for the Council to discuss Nauru and New Guinea, I propose that we take no decision at this time on that date. Within a week we shall doubtless have a clearer idea of when the report will be submitted to the Council and the Assembly, and then we can at least tentatively set a date.

Sir Hugh FOOT (United Kingdom): I wish merely to say that I entirely agree with the representative of Bolivia and that it will be well, I believe, to postpone any decision on the dates fixed for discussion of Nauru and New Guinea for at least a week.

The PRESIDENT: I take it that it is the consensus that we should defer consideration of the date of the part of our session dealing with Nauru and New Guinea until late next week. If that is agreeable, it will be so decided.

It is the opinion of the Chair, however, that we can take definite decisions with regard to consideration of conditions in the Pacific Islands.

One matter which the Council may wish to discuss is whether or not there should be a drafting committee set up for the purpose of preparing a report, according to the procedure which has been followed in the past. If there were such a drafting committee, the Council might adjourn at the end of next week and perhaps, in a week or ten days after that, hold one or two meetings in order to dispose of the question of the Pacific Islands.

I might just call attention to the fact that a working paper has been prepared by the Secretariat concerning some of these questions. The document number is TL/1038.

Mr. MOROZOV (Union of Soviet Socialist Republics) (interpretation from Russian): I wish merely to put a question rather than to make a specific comment concerning the question of the drafting committee which you just mentioned, Mr. President. If I understand the situation correctly, it would seem to me to be preferable not to discuss the question of the drafting committee at this time since it has been mentioned as one of the items connected with certain considerations dealing with our rules of procedure and a possible amendment to those rules. If we now begin consideration of this item, then, within the framework of that general question, we might find a solution to the more specific matter of setting up a drafting committee for the preparation of material on the Pacific Islands. In that case, I would propose that we should not now take any decision on the question which you raised, Mr. President, but that we should revert to it on the basis of the discussions which may well take place in connexion with item 3 of the agenda.

The PRESIDENT: In answer to the question of the representative of the Soviet Union, it is the understanding of the Chair that, at the present time, we are engaged in discussing the subject which appears as item 7 on the agenda (T/1588 and Add.1) and that it is this item which covers methods of work and procedure of the Trusteeship Council. It was the opinion of the Secretariat that it would be helpful to have such a discussion at this first meeting so that members could make plans in connexion with the work of the Council during the days ahead.

Mr. SALAMANCA (Bolivia) (interpretation from Spanish): With regard to the suggestion made by the Secretariat, I should like to have some technical information on this subject from the Under-Secretary. Why does he now propose that the Council could make recommendations directly instead of establishing a committee to draft them? I know that the Under-Secretary has prepared a document on this matter, but I should like to know briefly what is intended. If the Under-Secretary could tell us briefly what are the advantages of discussing the matter in the Council rather than establishing a committee, it would facilitate our work.

Mr. PROTITCH (Under-Secretary): In reply to the points raised by the representative of Bolivia, the Vice-President, I can only refer to document T/L.1038 of 12 March, which is before the Council. At the request of the Council, consideration was given by the Secretariat to the various suggestions made concerning the work of the Council.

Mr. MOROZOV (Union of Soviet Socialist Republics) (interpretation from Russian): As a new-comer to the Council, it might be difficult for me to take part immediately in discussions on procedure, but, from my point of view, I should like to answer the question asked by the representative of Bolivia. The question whether the drafting committee should or should not exist, whether it should be created to deal with the Pacific Islands, should be considered from a broader perspective if our work is to be simplified and facilitated. Those preliminary phases in the Council's work during the past were reasonable when the Council was dealing with a much larger number of Trust Territories. Now, however, when the sphere of colonialism is diminishing, is shedding its skin, as it were, and when we are called upon to accelerate the process of the entire disappearance of

(Mr. Morozov, USSR)

colonialism, it seems to me that we should not support mechanically a system which existed in the past but should try to simplify the procedure. I should think that the burden of proof should be placed upon those who wish to maintain the drafting committee, and not upon those who, like the Soviet Union delegation, are in favour of the liquidation of such a committee.

(Mr. Morosov, USSR)

We are in favour of the liquidation of the drafting committee because we do not see any need for a duplication of its efforts in the situation in which the Council finds itself, that is, that there will be about only three territories that will have to be considered. Therefore, at a time when the Council's work will, accordingly, have decreased, there will be no need for such duplication because experience has shown that the material presented by the Drafting Committee is, to begin with, discussed in the Drafting Committee and then there is a repetition of the same discussion in the meetings of the Council. That is why, as we see it, in analysing the material submitted by the Administering Authorities and the visiting missions on the conditions in the Trust Territory, the Council should now take steps to facilitate and accelerate its work. One such measure in considering questions concerning conditions in the Trust Territory, as we see it, is that the Council might follow a simple procedure and formulate its own recommendations and conclusions, without the assistance of that kind of drafting committee.

Another circumstance in favour of this point of view is that such a discussion within the Council itself would be of a more responsible character; it would increase the responsibility of the Council in the preparation of recommendations. This appears to us to be logical also from the point of view of saving time because in the final analysis the same people who take part in the discussion in the drafting committee would discuss this subject in the Council during the consideration of these recommendations. Thus, it seems to us that there is absolutely no reasonable argument in favour of the maintenance of this old method in our work. To the contrary, we share the doubts which were expressed earlier regarding the appropriateness of such a system under which a discussion of the same matter will invariably be held twice. Therefore, we are in favour of not creating a drafting committee, and this refers also to the Drafting Committee on the question which we are going to discuss and which you yourself, Mr. President, raised.

Sir Hugh FOOT (United Kingdom): I do not think that now that this Council itself has shrunk and that the number of Trust Territories, as the representative of the Soviet Union has pointed out, are so much reduced that this is a matter on which we need have very strong or dogmatic views. But I believe, in the light of my short experience in this Council, that the drafting committee has performed a useful function in the past just as the Standing Committee on Petitions has performed a useful function, and I believe that there may still be some advantage possibly in having a drafting committee.

On the other hand, much depends on the course of the discussion in any particular territory. I wonder whether it might not be best to allow the discussion to proceed on the Trust Territory of the Pacific Islands under United States administration and to decide at the end of that discussion whether or not we think that it will be useful to have a drafting committee to prepare a document for our consideration. The same course might be followed with regard to New Guinea and Nauru. In fact, a decision might be taken at the end of the discussion on each of those Territories in the light of the discussion which has already taken place, when we can best see whether there are arguments for a drafting committee or not.

I have no very strong views about the matter, but I think that it might be a mistake to remove the possibility of having a drafting committee if we found later that perhaps it would perform a useful function. There are certain arguments in favour of drafting committees which have been noted in the document prepared for us by the Secretariat which should not be overlooked altogether.

Thus, it might perhaps meet the point of a Soviet representative if we reverted to this matter and decided upon it at the conclusion of the discussion on each of the Territories which now are coming before us.

Mr. SALAMANCA (Bolivia) (interpretation from Spanish): After the explanation given by the Under-Secretary, having read several paragraphs of his report and having heard the representative of the Soviet Union, I believe that we should discuss the documents submitted by the Secretariat in general terms.

(Mr. Salamanca, Bolivia)

I have followed very closely the statement of the representative of the United Kingdom during which he stated that in his opinion the Council should, at the end of the discussion of the item of the Trust Territory of the Pacific Islands, take a specific decision on that particular case as to whether or not we should appoint a drafting committee..

Document T/L.1038, submitted by the Secretariat, includes paragraph 11 which refers to the 1171st meeting of the Council, in which the possibility of discontinuing the Standing Committee on Petitions was discussed. There the representative of India referred to an important point and that is that in 1962 membership of the Council would be reduced to ten members and that if the Council had to appoint drafting committees it would be extremely difficult for delegations that are limited in number -- such as mine -- to attend both the meetings of the drafting committees or the sub-committees and the meetings of the Council itself.

The representative of the United Kingdom stressed that he had no firm or final views on this point, and that is why I think that the decision of appointing a sub-committee or of not appointing a sub-committee is not directly related to the item of the examination of the situation in the Trust Territory of the Pacific Islands. This matter will also come up in the Council with respect to another Territory we will discuss, namely, New Guinea. In other words, I think that all the members of the Council should state their views on this document submitted by the Secretariat. The question is a simple one. We have to take a general decision and not a specific decision with regard to the Pacific Islands. Let us take a general decision and establish a working method that will apply to this Territory as well as to the other Territories which will be considered by the Council. In this case, I am in favour of discussing here the final decisions that we will take, whatever course the discussion may take.

(Mr. Salamanca, Bolivia)

Furthermore, there is another aspect to this question. The Administering Powers that are members of the Council are now in a minority; in other words, there are two or three members who would have to be members of the Drafting Committee, and this would naturally create certain difficulties because some delegations, because they are in small in number, do not have sufficient members to attend both the meetings of the Drafting Committees and the meetings of the Council.

There is another aspect of the question which is political in character, and that is that the Trusteeship Council is probably in the last stage of its existence and any work done in committees is perhaps viewed with some suspicion by certain members of the Council. I thus think it is preferable to have completely open discussions in the Council on the recommendations which we shall make in regard to each Territory.

In any case, these are the views of my delegation on this question which, in reality, is a matter of procedure, but it seems to me to be very desirable to hear the views of the other members of the Council. To my mind, the creation of a drafting committee should be decided bearing in mind the importance of the item and the nature of the problem, and this should be the decisive factor in determining whether or not a sub-committee should be established. This is not very important because, basically, whatever the course of the discussion, we have to reach a decision.

Frequently, in sub-committees, at the end of some work, there is no agreement, and then the problem of compromise arises; and while I recognize the discussion on the drafting of recommendations will not be easy in the Council, in any case, however, I believe it would be well to discuss all the possibilities here in the Council. I am inclined to accept the suggestions contained in the document submitted by the Under-Secretary, taking into account the number of members of the Council. In other words, the problem cannot be considered on the basis of each Territory. We have to decide on a working method that will cover both Territories: both the South Pacific Islands, as well as New Guinea; and on this, of course, we would like to hear the views of all the other members of the Council; and in accordance with all these views, we would then reach a decision here.

Mr. KOSCZIUSKO.-MORIZET (France)(interpretation from French): The first comment I would like to make is that, under the Rules of Procedure, the drafting committees have no statutory existence. In fact, the Council is absolute master of its own procedure; and under rule 66, it may form any committees it might deem appropriate, define their membership and their mandate, and send to them any questions appearing on its agenda. Therefore, the Council has full freedom of action and can maintain or suppress any of these drafting committees. Therefore, the question arises on two planes: on the plane of principles and on the practical plane as well.

On the plane of principles, my delegation does not wish to go back on what we had said last year. You will recall that we supported the representative of India last year who had proposed the suppression of the Petitions Committee; and on that occasion, we had also said that we wished to see the suppression of drafting committees for reasons of good order, for reasons of economy, and also because, in view of the developments in the Trust Territories and the small number of Trust Territories that the Council had to deal with, that it appeared to us more sensible to deal with the matters directly. Hence, on the question of principles, our position is clear; it has not changed.

Here, on the other hand, a practical point of view arises, and this one is somewhat different from the previous point. You, yourself, Mr. President, had expressed -- and we agree with you entirely -- the point that it would be necessary to work fast while, at the same time, giving a thorough-going examination to all the questions; and as it happens, the Trusteeship Council is meeting this year under very special conditions, because we have a General Assembly that must deal with the question of Ruanda-Urundi. Accordingly, as far as we are concerned, the problem arises as to the working method that would be most appropriate.

I would say quite willingly that, if there were no General Assembly, we would, without any qualification, be in favour of the doing away with the drafting committees.

The question arises -- and this is really a question mark that we launch here -- in view of the fact that there will be a General Assembly, if the Council cannot meet always at the same time as the General Assembly, is there not merit in there existing a sub-committee which could work in the meantime, during the meetings of the General Assembly? This is something of a purely pragmatic nature, and that is why I would ultimately align myself with the suggestion made by our colleague of the United Kingdom: namely, that we would take a decision on the Pacific Islands Territory at the close of debate which we will have on that subject, in order to decide at that time whether we are going to embark directly on the drafting of the recommendations or whether we are going to entrust it -- bearing in mind the meetings of the General Assembly -- to a special committee established for the purpose.

Mr. RASGOTRA (India): In the Working Papers of the Secretariat on the subject, there are specifically three questions that are raised. The first is in relation to the number of sessions that the Council should hold for the year. The second deals with the method of the Council's work in relation to the preparation of its conclusions and recommendations; and the third, with respect to the consideration of petitions.

In one way or another, each of these three questions has been discussed previously, but no decisions have been reached on them; hence, this fresh consideration.

(Mr. Rasgotra, India)

Now, I think the question of the number of sessions to be held every year in the future is not very pressing at this stage. I trust, a decision can be taken on that, intelligently, perhaps a little later.

The representative of France very correctly pointed out that this Council is not under a statutory obligation to appoint a drafting committee. The representative of the United Kingdom, I think, had also said, as had the representative of the Soviet Union, that the amount of drafting to be done can be determined only after the debate has taken place; and the nature of the debate, the volume of speeches, the volume of material in those speeches which need to be stated for the consideration of the Assembly can be determined intelligently only at the end of the debate.

I am not inclined to express an opinion here and now as to whether we should or should not appoint a drafting committee; I am not sure whether a drafting committee will be necessary. I am not sure that the contrary will be the case. I think we could decide that after we conclude the debate on the Trust Territory of the Pacific Islands; and if the nature of the debate demands a drafting body of two, four or six members -- and I personally think six is out of the question -- keeping in mind the present composition of the Council, probably, a committee of four members could be appointed, or even two; or if we find that the debate is not so exhaustive or so vast that the drafting committee is necessary, probably, the Secretariat could be entrusted with the task of formulating for the Council's consideration a text of its conclusions and recommendations; or, alternatively, if the debate is a brief one and the points that emerge are not too numerous, possibly, some members might feel persuaded to bring in their own draft texts of recommendations. One or the other of these methods could be adopted at the appropriate time; and I think, having given a general consideration to this paper prepared by the Secretariat, we may leave it there and come back to this matter on Wednesday or Thursday or Friday, as you may choose, Sir.

(Mr. Rasgotra, India)

There is, on the other hand, a statutory obligation concerning the Standing Committee on Petitions. I believe it is in suspension now as a consequence of one of the proposals which was made by me at the last session. Rule 90 says that the Trusteeship Council shall establish a standing committee. In fact, it is this rule which provoked the discussion last time on this matter: whether or not there should be a Standing Committee on Petitions. I believe I put before my colleagues here a number of arguments as to why this provision was no longer necessary, and experience has borne out the validity of those considerations.

We do not have a large number of petitions; in fact, we have a small number of petitions. If the paper appended to the Agenda is an indication, we have about eight petitions. I, therefore, feel that I should perhaps revert to that suggestion -- that matter -- first, which is of greater importance: that the number of petitions being very small, the number of Trust Territories being only three, of which we are going to begin active consideration, therefore, a Petitions Committee is not necessary. I do not know what the status of that Committee is now: whether it is in suspension, whether it is finished, or whether it still lurks somewhere behind and could be brought forward. The difficulty is: with our present membership, a committee of six is no longer feasible, and the nature of petitions is such -- and so is their number -- that these should be examined directly by the Council here. Therefore, if it is necessary now to go back to that matter, I should have no hesitation in recommending to the Council that that Committee be finally brought to a close, that it be dispensed with; and that should be the end of that aspect of the matter.

(Mr. Rasgotra, India)

As regards sessions, I have referred to that briefly. I think our rules of procedure require us to meet twice a year. That is what we have done in the past, with the winter session being a very brief one, mainly procedural, and the summer session being more substantive. I do not know what the views of Council members are. Most members have been reticent on that aspect of the matter. Perhaps in the future we could do with one session. But the question is when that session should take place, whether in the winter or in the summer -- or whether, in the view of some members, two sessions are necessary. I do recall a suggestion at one time by Mr. Oberemko, the representative of the Soviet Union, that one of the sessions -- I think he had the winter session in mind -- might be devoted exclusively to the consideration of petitions. There seemed some merit to that suggestion at the time, but it may not be valid today because, if the number of petitions is only eight or ten, or even twenty or thirty, then the convening of a whole session and the summoning of special representatives from various Territories might not be worthwhile. But on that, also, I am not in a position to express a fairly well considered opinion now.

I think I might leave the Council with that thought and, as we go along, we might think over these matters in greater detail, bearing in mind what the Secretariat has stated in this paper, and as and when occasion arises in the course of our meetings later on -- maybe much later -- a decision could be taken on this matter as well.

I should like to know from the President or from the Council Secretary what the status of the Standing Committee on Petitions is. What I am anxious to ensure is that we do not have to provide personnel for that Committee. It is going to be difficult for many delegations to be present in the Council and also to find bodies to man that Committee. And I do not think there is any merit in continuing that Committee -- or reviving it, if it is a case of revival -- because the number of petitions, as I said, is small, and we can well dispose of them here.

The PRESIDENT: Before giving the floor to the next speaker, I would simply say to the representative of India that it is the understanding of the Chair that, while the rules which call for a Committee on Petitions to be a standing committee have not been changed, there are no members of that Committee because the Council took no action to appoint members. Therefore, while the Committee exists in theory, it does not exist in practice.

Mr. MOROZOV (Union of Soviet Socialist Republics) (interpretation from Russian): In the light of the paper that the President circulated after making his oral statement on the programme of work, I should like to ascertain where we stand now and what we are discussing and how we are going to proceed further in our work. The point is that in today's Journal it is indicated that we are going to discuss the question of methods of work and procedure on the basis of document T/L.1038. In the paper which the President has circulated, the subject is somewhat different; there is a mere reference to the document indicated in the Journal.

When I first made my comments on the subject of the Drafting Committee, I was profoundly convinced that we would be discussing the question of the creation of a Drafting Committee in application to the discussion of the Trust Territory of the Pacific Islands, and at that time I said that it might perhaps be better to postpone a decision on this question until such time as we had considered what is indicated here in our agenda in the Journal as item 2 and what is given in the provisional agenda, document T/1588, as item 7. The President has indicated, if I understood him correctly, that we are discussing agenda item 7, and the course of discussion shows apparently that we have already embarked upon the discussion of that item. In that connexion, I am not certain whether we will be able to conclude that item at the present meeting and therefore whether we will be able to adopt the programme which the President has presented in the informal document which has been circulated and whether we will be able to embark this afternoon upon the kind of work that the President has suggested.

(Mr. Morozov, USSR)

It seems to me that it would be appropriate to follow the order which has been laid down and, having already begun discussing one item, namely, the one dealing with methods of work and procedure, to conclude discussion of that item and come to some decisions and then proceed to the next item. It is not quite clear to me why we are going to devote only one meeting to the questions falling under item 7 although questions have emerged here which the Council will probably decide upon. It seems to me that, having begun discussion of this matter, we should conclude it.

In connexion with the questions which have been raised in the course of the discussion under item 7 of the agenda, which appears as item 2 in today's Journal, the Soviet delegation would deem it essential, in addition to those considerations which have already been expressed, in particular by the representative of India, to make the following comment: We have already stated that we are approaching the question of procedure not as something that is an end in itself but only as a means which should assist in the fulfilment of the basic problem facing all of the organs of the United Nations at least in the field of the liquidation of the colonial system and its vestiges. We are and will be in favour of those changes in the working methods of the Council which will contribute to the achievement of that purpose.

We have already indicated that the Trusteeship Council must simplify its work and concentrate its efforts upon those steps which will ensure to the peoples of the three remaining Trust Territories the speediest attainment of independence.

Three questions have been touched upon now, and they are also basic in those considerations which have been presented by the Secretariat in the document to which reference has already been made. The first is the order of the consideration of petitions from the indigenous populations of the Trust Territories. The second is the appropriateness of the creation of Drafting Committees, a question which may be considered as having already been thoroughly discussed after the statements made by several delegations, so that I shall not revert to it but shall simply confirm what I said at the beginning of the

(Mr. Morozov, USSR)

meeting. Thirdly, there is the question of the number of sessions which must be held by the Council, and that question has been raised in the statement of the representative of India.

I think that in the light of the statement made by the representative of India, and on the basis of the explanation given by the President, the question of the Committee on Petitions may be disposed of. The Committee on Petitions should not be created, and petitions should be considered directly by the Council. That is one decision that I would call upon the Council to adopt without very much discussion. It seems that the decrease in the number of petitions, and also the fact that as a result the Council itself could quite capably carry out the existing volume of work, have not been challenged here. Such a decision could therefore be adopted directly and speedily.

In regard to the Drafting Committees, I wish to repeat that, for reasons which we have already adduced, we are in principle against the formation of Drafting Committees. We believe that such a decision should not be postponed until the consideration of concrete matters, but we should decide upon it in principle, as has been pointed out by some representatives who have spoken. The experience in the other Committees has shown that lack of clarity in procedural matters, or attempts to connect procedural matters with the substance of this or that discussion, may later lead to lengthy delays in the work of the Committees and to lengthy debates. That has happened in particular in the Committee of Seventeen, which is working on the implementation of the Declaration adopted at the fifteenth session on the granting of independence to colonial countries and peoples.

Therefore, as we see it, this question should not be postponed, as was suggested by the representative of the United Kingdom and, I believe, by the representative of Australia, if I am not mistaken. I must apologize for not remembering clearly who the second party to this suggestion was. It is my feeling that we ought not to postpone this question until such time as an examination of specific items or territories is made; we should dispose of it now and decide upon it in such a manner as will enable the Council to discharge its task.

Regarding the question of the number of meetings to be held by the Trusteeship Council, I must regretfully express some doubts concerning the need to convene two sessions in the course of a given year for the reasons which have been given here in connexion with the great decrease in the work of the Council. The representative of India was kind enough to refer to the views that were expressed by the representative of the Soviet Union in the Trusteeship Council earlier. We adhere to those views and the belief that a single session in the course of a year, which could be convened in May most conveniently, would be completely adequate for the disposition of its ever-decreasing functions.

We believe that if these three decisions were to be adopted at the present meeting, that would be a great step forward. We would then have concluded consideration of this item on the agenda, which will to a large extent ensure that we do not revert to discussions on the same item each time we consider a particular question. We ought now to take a decision in principle which will govern the rules of procedure that the Council deems necessary to adopt ultimately. Such a method of work would assist and accelerate the Council's activities and we therefore support it.

Mr. CORNER (New Zealand): I fear there is a certain amount of confusion with regard to this question because some of us are under the impression that we are following the order set out in the provisional agenda, document T/1588, which, I think, would be a normal presumption, and others of us are assuming that we are following the order set out in today's Journal. The two documents do conflict and I fear we are getting a little bit at cross purposes.

For my part, I assumed that we had been following the provisional agenda as set out in document T/1588. I was not aware of any motion to alter that particular order. The matter is not especially important because it does not really matter in which order the Council discusses the items before it, as long as we are all agreed on the order that we are following. If we are following the order set out in the provisional agenda -- and no motion has been made to change that order -- then I would have thought that we are at the moment discussing the question of whether we will have a drafting committee for the examination of the question of the Pacific Islands. On that question I would agree with those representatives, including those of India and France, who have said that there is some point in waiting to see whether it becomes necessary to have a drafting committee. For my part, I think we may find that in this particular case only, with the meeting of the resumed session of the Assembly, and since that session involves a number of the members of this Council, it might turn out to be quite useful to have a drafting committee. There is, after all, nothing sacrosanct about either drafting committees or any other sub-committees of this Council. They are set up merely to assist the Council to do its work efficiently and if there is no point in a drafting committee on a particular occasion, then we should not stand on ceremony and insist upon having one. As I have said, in this particular case and under these special circumstances, we may feel that a drafting committee is a good idea. If we go on to the more general question of whether, in principle, drafting committees should be constituted, then on the one hand, I can see a great deal of merit in the arguments set forth by the representative of the Soviet Union and others that, in view of the small size of the Council, drafting committees may no longer assist the Council in functioning efficiently. On the other hand, while seeing the merit of this argument, and with limited experience in these matters because I am new here, I am still more impressed with the idea that, in certain circumstances, drafting committees could be a useful aid to the work of the Trusteeship Council. Therefore, on the general question of principle, I think that I, along with the representatives of India and France, would proceed along the line of combining principle and realism and decide that it would be unfortunate to take a general decision, either now or if the main item comes up

for consideration, that there should be no drafting committees. It is my feeling that we should determine in each case whether a drafting committee would help us to perform our work. If it would, then we should have one; if it would not, then let us not bother about having one.

I can envisage a number of cases where drafting committees probably would be a very good idea indeed and would save the time of the members of this Council, rather than a burden and a duplication.

Mr. HOOD (Australia): In the light of all that has been said, I find that I have in fact very little to add. I would hope that the suggestion to take any decision, even in principle, at the present time would not be pressed at the Council today because that would be unwise and would only lead to future difficulties.

The representative of the Soviet Union stated that, in his opinion, the burden of proving the necessity for the retention of drafting committees lies with those who wish to retain them. Without wishing to be argumentative, it seems to me that the reverse is the case. Drafting committees have invariably been part of the method of work of this Council since it first began to function. It would be unusual, I think, for any long-established method of work to be cast aside without strong and convincing arguments on the part of those who wish to discontinue it. It seems to me that those who, for various good reasons, favour the retention of a practice should not be called upon for any further justification of it, other than the fact that it is a convenient method of working. It has been found useful in the past and may well be found useful again in the future.

The representative of France pointed out quite correctly that there is no statutory provision for drafting committees. Therefore, the Council can quite safely be pragmatic about this matter. I trust that when the contents of reports and debates are known, a decision can then be made which would be followed both in the case of the Territory presently under consideration and in the cases of the remaining Territories to be examined.

Mr. KIANG (China): I am not at all sure at the present stage of discussion whether we should confine our remarks to the general question, the methods of work and procedure of the Trusteeship Council, or to the specific question whether the drafting committee should be decided upon now. Therefore, before I submit my views, I would very much like for you, Mr. President, to indicate to the Council whether we should confine our observations to the specific question or to the general question.

The PRESIDENT: In answer to the representative of China, I would say that this is up to the members of the Council. In putting down this item for consideration at this morning's meeting, it was obviously open to members of the Council to comment on any or all aspects of it. On the other hand, it was the thinking of the Bureau that the most immediate problem perhaps was the problem of how to proceed with regard to the Trust Territory of the Pacific Islands. I might add, since the question was posed to me, that there was no thought that any definitive decisions would have to be taken on the matter at this meeting, or today, but that this item on the agenda was simply open for discussion and could be kept open as long as the Council wished.

Mr. KIANG (China): I thank you, Mr. President, for the clarification you have given. We would like to defer our comment on the other aspects of the general question to a later stage. At present I would like to say that we do not have very strong views on the question whether a drafting committee should be decided upon and appointed before the consideration of the Trust Territory of the Pacific Islands. Under the circumstances, and as the representative of France has said, since the Council is now meeting and the resumed session of the General Assembly is about to begin, it may be, for practical considerations, that we should have a drafting committee. But even for that question I think it would be wiser for us to defer the decision with regard to the drafting committee. We would prefer to see the decision made after the conclusion of the debate on the Trust Territory of the Pacific Islands. If the majority of the Council would like in principle to have a drafting committee established, not only for the Territory of the Pacific Islands but also for Nauru and New Guinea, my delegation would also be willing to go along with it.

Mr. NOYES (United States of America): I am also new to the Council and I am somewhat hesitant to discuss procedural questions. But I feel I should say something about the discussion of the drafting committee which has been taking place. It would seem to my delegation that a drafting committee is only a matter of convenience, that it is hardly necessary to make a decision on principle, particularly since there are only a few territories left. We would be quite prepared to leave until a later date a decision on whether there should be a drafting committee for the Trust Territory of the Pacific Islands.

But I would like to put forward our thinking on this matter for the benefit of the delegations in case they should like to consider it in the interval. We had thought, with the Assembly almost upon us that if the discussion of the Trust Territory could be completed before the Assembly was well started, it would serve the convenience of the representatives if there were an interim of a week or ten days during which a small drafting committee could work and the other members of the Council would be dealing with matters in the General Assembly. This should shorten the meetings of the Council on the drafting committee's report and we felt that it would serve the convenience of the Council and its membership. Therefore, while we favour a drafting committee in this case for these reasons, I do not see any need to decide the question at this moment.

Mr. KOSCZIUSKO-MORIZET (France) (interpretation from French): I believe that this discussion has nevertheless introduced a certain clarity in our positions. Actually the three questions raised with regard to the procedure and the working methods of the Trusteeship Council are quite different. It has been said that there are three questions: that of the Petitions Committee, that of Council meetings, and lastly the drafting committees. But we must point out that there are two matters which, strictly speaking, bear on the Council's procedure because they would imply a change in the rules. It is the question regarding the Petitions Committee, which, as was pointed out by the representative of India, figures in the rules of procedure of the Council and, furthermore, refers to the number of meetings of the Council and the fixing of dates. This is the subject of rule 1 of the rules of procedure.

(Mr. Kosciusko-Morizet, France)

Therefore, on these points of procedure a decision must be taken since the rules of procedure of the Council would then have to be altered; and on this point I agree entirely with the representative of the Soviet Union and others with regard to the abolition of the Petitions Committee and that the Council sessions be limited to one session in the month of May. But the question of the drafting committee is quite different because we do not have to decide anything in a general way since no rule of procedure refers to drafting committees. Since no one is thinking of suppressing rule 66 of the rules of procedure, which leaves the Council free to decide what it wishes, and since this is a specific case where we can take a decision in due course and at the right time, as the representative of India said, I have an open mind.

I do not know whether in the light of circumstances after the discussions, it will be desirable to set up a drafting committee or whether it will be enough for the Secretariat to submit a report on any recommendations which we might discuss in the Council. But here no general decision is called for since there is nothing in the rules of procedure to be altered; whereas on the other two points we must, on the contrary, take a decision. Whether we take it now -- and I think this is possible -- or whether we take it at another date, it is for the Council to decide.

But in any case, to sum up, there is here a difference in kind between the questions that have been brought before us. On the one hand decisions must be taken, but in the other case it would be a purely pragmatic decision without any alteration of the rules of procedure.

Mr. MOROZOV (Union of Soviet Socialist Republics) (interpretation from Russian): The last statement of the representative of France has introduced much clarity into the question. In any event there is absolutely no need for the formation of a drafting committee, unless the Council were to decide otherwise. So that the question of the creation or non-creation of this Committee does not arise since it is not provided for specifically in the rules of procedure. This further confirms the thesis that I presented that the burden of proof lies upon those who wish to establish these Committees independently of whether they committees have been established in the past or not each time. We can in new circumstances examine the question each time.

(Mr. Morozov, USSR)

I suggest, nevertheless, that we decide now that the drafting committee should not be established, for the reasons that have been presented here, in view of the fact that this would save time and would not lead us into new lengthy discussions after having already exchanged views in some detail on this question. I think that we could decide upon it now.

As for the other changes in the rules of procedure, I cannot agree with the interpretation that was given by the representative of New Zealand, nor with the last interpretation that was given by you, Mr. President, that we are allegedly considering only the question of what procedure we should adhere to in the examination of the Territory of the Pacific Islands. This does not flow from what you started the meeting with, nor from the documents which are before us in the Journal, nor even from the document which is somewhat different from the Journal and which you circulated, Mr. President, as a provisional document pertaining to the methods of work and procedure of the Trusteeship Council.

As a matter of fact the discussion itself has shown that we are discussing the question in a different light. So that your interpretation, Mr. President, regarding the fact that we are limited to a discussion only to the Pacific Islands is not sufficiently well grounded, I believe. Therefore, I think that as a result of the course of this discussion, we must adopt specific decisions which have already taken shape, to which I have referred here earlier and to which other representatives have also referred.

(Mr. Morozov, USSR)

Indeed, it would be quite unreasonable to begin discussion of the procedures and methods of work of the Council, interrupt it, and then revert to it again. That would be repetition such as that of which I am guilty myself at the moment -- and I am speaking in terms of self-criticism. It would lead to other examples of the kind that is taking place now where we do not take any specific decision and ultimately lose time as a result.

The PRESIDENT: Before calling upon the next speaker I should like to say to the representative of the Soviet Union that I think that there must have been a misunderstanding or that perhaps the interpretation of my remarks was not clear. I very precisely did not say that the discussion should be limited to the question of procedure with regard to the Pacific Islands. What I did say was that the listing of that item in today's agenda opened up to the members of the Council the possibility of discussing every aspect of it. I did say that the immediate problem that was confronting us was the question of dealing with the Pacific Islands, but certainly I did not in any way suggest that representatives should limit themselves in their remarks to that phase of the problem of procedure.

Sir Hugh FOOT (United Kingdom): It seems to me that the useful discussion which we have had this morning has cleared the air and, indeed, that we are all in general agreement. I wonder if it would help were I to make a formal proposal that, with regard to sessions, we should aim at a single session once a year, in May; that, with regard to petitions, we should not reappoint the Committee on Petitions unless some good reason were subsequently seen for doing so; and, with regard to drafting committees, that we should not appoint a drafting committee unless, in any particular case, we saw cause to do so later. I believe that we might be able to agree on those three propositions and proceed with our business this afternoon as the President had planned.

The PRESIDENT: Are there any observations in connexion with the proposal made by the United Kingdom representative?

Mr. HOOD (Australia): I should like to be quite clear about the third proposal made by the United Kingdom representative. Did he say that the Council should decide not to appoint drafting committees unless it decided otherwise?

Sir Hugh FOOT (United Kingdom): I thought that my proposal was quite clear. It was that we should not now appoint any drafting committee, but should be free to do so in any particular case if we found good reason to do so when the time came.

Mr. HOOD (Australia): Thank you.

Mr. CORNER (New Zealand): There is hardly any need for me to intervene in view of the revised formulation by the United Kingdom representative. However, I have one question on his first two points. Will a specific proposal for the amendment of the rules of procedure be made? I am quite in agreement with his proposals, and it is merely a matter of the machinery whereby they would be accomplished.

Sir Hugh FOOT (United Kingdom): As to how the purposes which I have suggested might be achieved I would bow to the President's decision. I merely wished to set out these suggestions which seemed to cover the wishes of all members of this Council.

Mr. MOROZOV (Union of Soviet Socialist Republics) (interpretation from Russian): The representative of the United Kingdom has made a great contribution to the discussion by endeavouring to present formally for our consideration the decisions that we could come to. I must say that I am prepared to accept his proposals with regard to the number of sessions and the Committee on Petitions. I am in agreement also with the first part of his proposal concerning drafting committees -- namely, that the Council should decide not to appoint a drafting committee. With regard to the rest of that proposal, "if the Council finds no need to act otherwise", I would request that in the event of a vote those words should be put separately for our decision. I would vote in favor of

(Mr. Morozov, USSR)

the first part of the proposal but, for the reasons which I have already explained, I would have to object to its second part. Perhaps it might be possible to persuade the United Kingdom representative -- who has made such a valuable contribution to our work -- not to insist upon the qualification that he has introduced in his third proposal.

Mr. RASGOTRA (India): Earlier I had suggested that we might defer our decisions on these points until a later date. I find myself in the unhappy position of being able to vote only on the third of the proposals put forward by the United Kingdom representative. My inclination is to vote in support of the first two also, but if I am called upon to do so now I shall be acting in violation of the rules of procedure, which I am most most unwilling to do. Two sessions are required by the rules of procedure. The appointment of a Committee on Petitions, on paper, is in theory also required by the rules of procedure. Therefore, if we take decisions now to have one session or not to have a Committee on Petitions we shall be going against the rules of procedure -- unless the President's interpretation is going to be that these are mere decisions of the Council and that the necessary modification or amendment of the rules of procedure will have to be carried out later. Rule 107 of the rules of procedure says:

"These rules of procedure may be amended by the Trusteeship Council. Normally, a vote shall not be taken until four days after a proposal for amendment has been submitted".

If we act on the first two proposals we shall, I submit, be acting against the rules of procedure. I agree with the substance of the proposals, as I have said, and I am prepared to support them, but I think that the right procedure would be to have these proposals circulated and let them lie for four days. They will be tantamount to suggested amendments to the rule, and a vote could be taken after four days, as required by the rules. However, the vote on the third proposal, which does not involve either a rule or an amendment to a rule, could be taken right away.

Mr. SALAMANCA (Bolivia)(interpretation from Spanish): I have listened with great interest to the views of all the Council members on the third proposal put forward by the United Kingdom representative, and I agree with the Soviet representative that Sir Hugh has made a very constructive endeavour in proposing a solution that could meet the wishes of all members of the Council. The Soviet representative said that he wished to have a separate vote on the second part of the third proposal. The United Kingdom representative, for his part, said that he had left the way open for the Council to decide whether or not it wished to establish a drafting committee in any particular case.

(Mr. Salamanca, Bolivia)

My friend Mr. Morozov said that the Council should vote and take a final decision now on whether we are to have any drafting committees or not. The views expressed have been very intelligently discussed by the Council, and in particular I recall the views expressed by the representatives of France and India.

The only factor indicating the necessity for the establishment of a drafting committee is the possibility that there will be a very long session of the Fourth Committee and that there will be pressure of time on the Council members, and that therefore the Council will not be able to meet and will have to delegate some of its functions to drafting committees. This is a wise and practical suggestion, but it may be that the situation to which it applies will not arise. We do not know whether the Fourth Committee will be meeting continuously on Ruanda-Urundi, and it is quite possible that the Council could meet during the mornings while the Assembly meets during the afternoons. We do not know much about this at present since the Fourth Committee has not yet discussed its schedule of work in connexion with Ruanda-Urundi.

I asked to speak at this time simply to ask my friend Mr. Morozov not to press for a vote on this matter at the present time. I believe that the Council, if it has sufficient time, would possibly prefer to discuss freely the recommendations -- since we are now discussing the last Territories -- and that therefore, in this manner, we would be able to reach a unanimous decision, whereas if we were to vote now we should be hastening the decision of the Council. As things stand, only two members of the Council have stated themselves as definitely opposed to the establishment of drafting committees, and it is quite possible that if there is a vote, the Council will decide not to do away with drafting committees. This is not in accord with the views of all members of the Council, some of whom have not yet taken a final stand on this matter, and under these circumstances the Council should not undertake to do away with drafting committees. Later on a wiser final decision could be unanimously taken.

I am addressing this appeal to the representative of the Soviet Union for the reason that his delegation is one of the two that have indicated final decisions on the matter of the establishment of drafting committees. In the case of the delegation of Bolivia, the reason is simply lack of sufficient staff.

(Mr. Salamanca, Bolivia)

We do not wish to have a drafting committee meeting at the same time that the Council is meeting. In addition, there is the problem of the Fourth Committee.

I do not wish to force an interpretation of the views stated, but I believe that we are basically all in agreement. In fact I fully agree with the views expressed by our colleague from the Soviet Union when he stated that the three-point proposal submitted by the representative of the United Kingdom was very constructive and useful and that he wished simply to make one minor change in it, namely that the Council take a final decision at this meeting. I think that when the views of all members of the Council have been clearly indicated, it will be very simple to reach a decision. But if we press for a vote now, many delegations will feel themselves bound to vote for or against the abolition of drafting committees. So far only two of them have advocated doing away with the drafting committees, but many delegations have not reached a final opinion on this matter, and therefore it seems to me it would be more useful to adjourn this meeting with a more or less unanimous agreement to leave this matter pending until such time as we can see how the work of the Fourth Committee is progressing -- this is the principal point to be considered, as indicated by the representatives of India and France -- and whether the pressure of work of the Fourth Committee makes it necessary for us to establish any drafting committees. This solution could be accepted without setting any precedent. And of course, as I said, we do not yet know definitely whether we shall be able to meet at the same time as the Fourth Committee when it discusses Ruanda-Urundi. Quite possibly the Fourth Committee will meet only in the morning or in the afternoon, and in that case the matter would be open for the Council to decide accordingly.

If my friend Mr. Morozov will be good enough to accept my suggestion, we could adjourn this meeting having arrived at a clear statement of the situation.

Mr. KOSCIUSKO-MORIZET (France) (interpretation from French): I believe that the suggestion of our colleague from the United Kingdom does in fact enjoy the agreement of the Council and summarize all the opinions expressed here. I also believe that the change requested in that suggestion by the representative of the Soviet Union would limit the rights of the Council as provided for in rule 66 of the rules of procedure, and that that is not possible. I accordingly hope that, as Mr. Salamanca has requested him, he will not press this point.

(Mr. Kosciusko-Morizet, France)

Also, I wish to say that I think our colleague from India is completely right from the point of view of the rules of procedure; but I do not believe there is any incompatibility between a decision of principle which we can take now, and the implementation of that decision of principle. It seems to me that, having taken this decision of principle now, we could, within a few days -- that is to say, after the time necessary for the delegations to present their proposals or, more exactly, for the Secretariat, with the help of the legal services, to put in proper form our decision concerning the meetings and the Committee on Petitions -- we could, after that time, review the form of the rules of procedure, and that would be but the application of the decision we are taking now. I believe that on that basis we could very easily arrive at an agreement.

Mr. MOROZOV (Union of Soviet Socialist Republics) (interpretation from Russian): As for the matter of a formal vote, it would seem that in accordance with the democratic rules of procedure which we have set up we could not fail to make reference to the statements of the representatives of India and Bolivia, quite aside from whether all the other members are prepared to vote or not. It is for each member to decide how he will act in such a situation. Unfortunately, for reasons laid down in rule 107 of the rules of procedure, a formal vote today cannot take place. Nevertheless, a very useful exchange of opinions has taken place. It is clear, too, that a vote on at least the so-called third proposal of the representative of the United Kingdom, particularly in view of the fact which has been touched upon -- that this might affect or be affected by the rules of procedure -- should not take place now, but should rather be at a time when the representative of India is prepared. All other members of the Council will also, I think, after the period of time prescribed by rule 107, be prepared to vote on the matter.

(Mr. Morozov, Soviet Union)

I thank the representative of Bolivia for his words addressed to me personally. However, I think that we now have no great divergence of opinion. The representatives of the United Kingdom and the Soviet Union believe that the question of establishing a drafting committee, on the Pacific Islands in particular, does not arise at all at the present time, that there is no question, as a matter of fact, requiring the establishment or composition of drafting committees. Thus we could decide now, and if at a later stage it is proposed to change the decision adopted earlier, no one would prevent members of the Council from making such a proposal, and if such a proposal were subsequently to be adopted, we would then adhere to our last decision.

(Mr. Morozov, USSR)

In analysing this divergence which exists between the representative of the United Kingdom and myself, even if we did not adopt that wording, the representative of the United Kingdom could simply present it later and the Council then examine it. The discussion has shown that we are close to agreement, and I think that when we come to vote on the other items it will be possible for us to reach unanimous agreement on this question.

Sir Hugh FOOT (United Kingdom): I am happy to find myself in agreement with the representative of the Soviet Union and I would suggest that, after this useful exchange of views in which we are very near to full agreement, the matter might be deferred for possibly a few days. Then it could be reconsidered with specific proposals for a variation in the rules which might be prepared in the interval. If we could consider the matter again next week I believe that we could come to full agreement.

The PRESIDENT: I take it that the representative of the United Kingdom is suggesting that no action be taken on his proposals at the present time, that those which require possible change in the rules of procedure will be submitted in precise form at a later time, and that the item under discussion be deferred to a later stage in our proceedings for final decision.

The meeting rose at 12.55 p.m.