

GENERAL ASSEMBLY

SIXTH SESSION

Official Records



Thursday, 3 January 1952, at 10.30 a.m.

Palais de Chaillot, Paris

CONTENTS

	Page
Report of the Trusteeship Council (A/1856) (continued).....	223

Chairman: Mr. Max HENRÍQUEZ UREÑA (Dominican Republic).

Report of the Trusteeship Council (A/1856) (continued)

[Item 12]*

DRAFT RESOLUTION SUBMITTED BY YUGOSLAVIA (A/C.4/L.165)

1. The CHAIRMAN invited the Committee to examine the draft resolution submitted by the Yugoslav delegation on the examination of petitions (A/C.4/L.165).

2. Mr. TREBINJAC (Yugoslavia) said that during the general debate (227th meeting) his delegation had expressed disapproval of the Trusteeship Council's procedure for the examination of petitions. The Council had merely drawn up seven stock decisions for dealing with petitions. That procedure should be altered, particularly as the examination of petitions was one of the main factors in the International Trusteeship System. In present circumstances, and because of the increase in the number of petitions addressed to it, neither the Trusteeship Council nor its *Ad Hoc* Committee on Petitions was in a position to perform that task satisfactorily. The only solution would be to set up a standing committee, and that was the main purpose of the draft resolution his delegation had submitted.

3. In the course of the general debate, numerous representatives had made comments similar to those of the Yugoslav delegation and had reached the same conclusions. It was that which had encouraged the Yugoslav delegation to submit its draft resolution. The arguments for and against the suggestions contained in the draft had been sufficiently adduced and answered, and he would merely say that the proposed procedure was not an innovation, as the idea of a standing committee had been discussed at the fifth and the present session of the General Assembly. His delegation was ready to study any comments on its draft resolution in an understanding and co-operative spirit, and it invited members of the Committee to vote in favour of that draft.

4. Mr. ZARUBIN (Union of Soviet Socialist Republics) also pointed out that the examination of petitions was one of the chief duties of the Trusteeship Council; it was a duty which the Council should perform in co-operation with the Administering Authorities, according to the express provisions of the Charter, and which should therefore not be entrusted to a subsidiary organ of the Council. The Council was obliged to take account of observations and criticisms aimed at correcting defects in its present procedure. The Soviet Union could not, therefore, vote for the Yugoslav draft resolution.

5. Sir Alan BURNS (United Kingdom) thought that the draft resolution did not take sufficient account of the facts. Both the Trusteeship Council's report A/1856 and its resolution 347 (IX) concerning the examination of petitions showed that the Council was not complacent about the matter. At the Council's ninth session the *Ad Hoc* Committee on Petitions had examined eighty-three petitions from the Trust Territories in Africa, forty-seven being from the Territory of Somaliland under Italian administration alone. In addition, forty-four petitions on the Ewe question had been sent to the Committee at a late stage of its work.

6. He drew a distinction between two categories of petitions: those concerning personal cases and hence within the competence of the local courts, and those concerning general aspects of the situation in the Territories. The latter could be studied properly only in the context of the Administering Authorities' annual reports. In order to examine those reports properly and to possess all the detailed information necessary to a fair judgment of the conditions in the Territories, the Trusteeship Council must be able to rely on the help of the special representatives of the Trust Territories. The Yugoslav representative's draft resolution would mean that, if that work were to be properly done, the special representatives would have to be at the disposal of the Trusteeship Council or the committee on petitions almost constantly, and it would not be possible for the United Kingdom Government to arrange that.

* Indicates the item number on the General Assembly agenda.

7. He did not see the need for the provisions of paragraph 3 (b) of the operative part of the draft resolution ; the examination of petitions was an essentially practical matter and it would be preferable to leave it to the Trusteeship Council to devise an appropriate procedure, which it could be expected to do at its tenth session in pursuance of General Assembly resolution 435 (V).
8. With regard to paragraph 4 of the operative part, he said that his Government had always supplied information on the action taken on the Council's recommendations, and intended to continue to do so in those cases in which the Committee had in fact made a positive recommendation.
9. Mr. RYCKMANS (Belgium) fully understood the Yugoslav delegation's object in submitting its draft resolution designed to improve the Council's procedure for examining petitions. At the Council's ninth session it had admittedly examined petitions addressed to it at apparently too short notice and its decisions might have appeared too automatic and superficial. However, the problem was not as serious as might be thought. At the ninth session the number of petitions had been particularly high for two reasons : in the first place, the Council had received an exceptionally large number of petitions on the Ewe question and on the initial organization of Somaliland ; in the second place, numerous communications and memoranda from various sources were treated as petitions, and many petitions concerned general aspects of the conditions in the Territories which were ordinarily examined in detail by the Trusteeship Council. Apart from those, the number of petitions proper was reasonable and the Council would be perfectly able to examine them at its ordinary sessions. In view of the special conditions prevailing at recent sessions, the Council had not wished to take any final decision, preferring to await a return to normal in order to see exactly how it stood. For those reasons it was unnecessary to adopt now a special procedure which might prove unsuitable when the number of petitions became normal again.
10. Mr. BALLARD (Australia) said he had listened with interest to the criticism of the procedure followed by the Trusteeship Council in examining petitions, and thought it rather exaggerated. Dealing with what had been called the standard replies which the Council used mechanically, he said that the Council could not be said to be wrong, for example, every time it decided that a petition called for no action on its part ; some petitions concerned matters within the competence of the Trust Territory's courts and therefore outside the competence of the Council. Similarly, the Council could not be blamed as a matter of course for answering a petition by drawing the attention of the petitioner to its recommendations based on the examination of annual reports. Where the petition raised general matters of administration, it would be difficult to find a more suitable answer. A detailed study of the types of replies sent to petitioners showed that they were not necessarily inappropriate and did not reveal any unfairness or lack of due consideration of the petitioner's requests.
11. The procedure followed at present by the Trusteeship Council was based on growing experience, which had already led it to modify its rules of procedure, over which Article 90 of the Charter gave it exclusive authority. There was no reason for thinking that the inventiveness of the Trusteeship Council was exhausted or that it would not continuously improve its procedure on its own initiative. Resolution 347 (IX) had in fact carried that process further and members would have given further thought to the matter before the tenth session of the Council.
12. The Australian delegation could not, therefore, support a draft resolution of the type submitted by Yugoslavia, which it felt to be premature and liable to be construed as conflicting with the power given to the Trusteeship Council by Article 90 of the Charter to settle its own rules of procedure.
13. Mr. Ballard found difficulty in accepting the final part of paragraph 1 of the operative part of the draft resolution because of the general impression which it conveyed.
14. Referring to paragraph 3, he did not think that a preliminary examination of petitions within a prescribed period of time after their receipt would expedite work, since petitions must in any event be studied by the Council, as in fact the supporters of a standing committee acknowledged. Further, the draft required that special representatives should in practice be permanently available. That would cause difficulties for the Administering Authorities which might impair the efficiency of the administration and prevent the special representatives from keeping themselves fully informed of the situation in their respective Territories. He could not approve the suggestion that the proposed standing committee should seek information from any sources other than those supplied by Administering Authorities and petitioners. Information from those two sources contained all the facts which the committee should need.
15. With regard to paragraph 4 of the operative part, he pointed out that the Administering Authorities supplied information in their annual reports on the action which they had taken to give effect to the Trusteeship Council's recommendations on important petitions dealing with general matters. Paragraph 4 therefore seemed useless, especially since it might imply that the Administering Authorities had so far failed to supply such information. An obligation on Administering Authorities to make specific mention of action taken on all recommendations concerning petitions, irrespective of their scope and importance, would be an unnecessary and undue burden on them. Although the Australian delegation contemplated a progressive development of the petitions procedure of the Council, it did not think the Yugoslav draft resolution was timely or necessary, and could not support it.
16. Mr. DE MARCHENA (Dominican Republic) recalled that his delegation had always attached great importance to the right of petition, which was one of the basic principles of the Trusteeship System. He

divided petitions into three categories—genuine, trifling and groundless. Genuine petitions gave an informed account of actual situations prevailing in the Territories and must therefore be examined conscientiously by the Council. In disposing of trifling petitions, the Council should obviously use standard decisions. Groundless petitions were outside the practical use of the right of petition. On the whole, he shared the ideas which had been expressed in the discussions in the Fourth Committee and thought that a standing committee ought to be set up.

17. Turning to the text of the Yugoslav draft resolution, he observed that the first two paragraphs of the preamble referred to a General Assembly recommendation which the delegation of the Dominican Republic had approved.

18. As regards the paragraphs 1 and 2 of the operative part, he declared that his delegation was not among those who thought that the Council was not performing its task properly. The ideas set forth in those two paragraphs should not appear in a General Assembly resolution. The Trusteeship Council would not overlook the problem at its tenth session but would study any new proposals. On the other hand, it was certainly essential to decide exactly how the guarantees of the right of petition could be strengthened in the spirit of the Charter. Intelligent and systematic propaganda might be carried out so that the Council would not receive trifling or groundless petitions in the future. He therefore suggested the deletion of paragraphs 1 and 2 of the draft resolution.

19. As regards paragraph 3, of the operative part, he recognized that the Council must be able to rely on the assistance of special representatives, who were the persons best informed on the problems to be studied, and should invite them to take part in its meetings. The same privilege, however, might also be extended to petitioners. In order to take into account the difficulties involved in having special representatives available, which had been mentioned, he suggested that paragraph 3 (a) should be redrafted as follows: "To constitute a standing committee for the examination of petitions which shall meet one month before as well as during the sessions of the Council". The phrase in paragraph 3 (b) "or as may be obtained by the standing Committee from any other source which it deems useful" raised a question of substance connected with the constitutional aspects of Chapter XII of the Charter, since under the Trusteeship System, unlike the mandates system, petitions could be submitted directly to the United Nations. He therefore asked for a separate vote on that sub-paragraph and said he would abstain from voting. He would vote for the Yugoslav draft resolution if the modifications he proposed were accepted.

20. Mr. MANT (India) fully shared the opinion expressed in the Yugoslav draft resolution (A/C.4/L.165). As petitions were one of the principal factors in the Trusteeship System, an effort should be made to improve the procedure for examining them in order that the Trusteeship Council might adequately perform its work.

21. The positive steps suggested by Yugoslavia were, however, essentially technical, and it was important that the resolution should not pass judgment on the Council's work. The Indian delegation therefore supported the deletion of paragraph 1 of the operative part.

22. On the other hand, paragraph 2 of the operative part linked the preamble to paragraph 3 and was not an expression of opinion on the Council's work but simply a statement of fact.

23. He had heard the Australian representative's statement with interest. The existence of the right of petition might of course give rise to abuse, but there was no reason for undue concern on that account, since the establishment of a standing committee would be an incentive to the peoples concerned to make proper use of their right of petition.

24. The Dominican amendment to paragraph 3 (a) was not necessary; the standing committee would itself draw up its work programme according to the circumstances. Similarly, he did not favour the deletion from paragraph 3 (b) of the phrase "or as may be obtained by the standing committee from any other source which it deems useful". The committee might deem it useful to refer to works by impartial observers containing valuable information.

25. Subject to the reservations he had just made, he supported the Yugoslav draft resolution.

26. Mr. DE PAIVA LEITE (Brazil) supported the Yugoslav draft resolution. His delegation had previously had occasion to express the view that the procedure followed by the Trusteeship Council for dealing with petitions was far from satisfactory.

27. The General Assembly, in its resolution 135 (V), had made specific recommendations on the subject to the Trusteeship Council. The Council had, however, merely adopted resolution 347 (IX), which did not reflect the opinion expressed by the great majority of the General Assembly. He pointed out that all members of the Council who did not administer Trust Territories, with the exception of Thailand, had abstained from voting on the resolution.¹ Thailand had voted for it because the question would be reconsidered at the Council's tenth session; but Iraq and Argentina had felt that the Council's attitude was not in keeping with the General Assembly's recommendation.

28. Clearly, therefore, many members of the Council were not satisfied with the manner in which it had dealt with the question of petitions, particularly with the question of information concerning action taken by the Administering Authorities to give effect to the Council's recommendations with regard to the petitions examined. The General Assembly had recommended that the Trusteeship Council should request the Administering Authorities to submit each year special information concerning action taken on the recommendations of the Council in respect of petitions examined,

¹ See *Official Records of the Trusteeship Council, Ninth Session, 383rd meeting.*

except in those cases where the Council did not deem it necessary. It had, moreover, adopted that resolution after rejecting a proposal (A/C.4/L.100) to request the Administering Authorities to transmit such information only in cases where the Trusteeship Council deemed it necessary. Nevertheless, the Trusteeship Council, on that point also, had adopted a decision that was not in keeping with the General Assembly's recommendation.

29. Of course, petitions might be said to differ in importance ; but it could not be said that some petitions were of no concern. The role of the United Nations with regard to the Non-Self-Governing and Trust Territories required that the Organization should take an interest in all petitions from those territories. Accordingly, the Trusteeship Council could not, without damage to the Organization's prestige in the Trust Territories, be satisfied with stereotyped phrases, as had been used in the case of most of the petitions examined in the past. Consequently, means were needed of improving the Council's procedure, and the appointment of a standing committee for petitions seemed the only possible solution to the problem.

30. For those reasons, his delegation would vote for the Yugoslav draft resolution, without any of the amendments proposed by the Dominican Republic.

31. Mr. PEREZ CISNEROS (Cuba) recalled that at the General Assembly's fifth session his delegation had played a very active part in the discussions on the question of petitions. Its relative silence at the sixth session was due to the fact that the delegations of Brazil and Yugoslavia had voiced opinions which fully accorded with its own.

32. His delegation had not welcomed resolution 347 (IX), concerning petitions, which the Trusteeship Council had adopted after having considered General Assembly resolution 435 (V) ; in particular it had felt critical of the provisions by which the Council requested the Administering Authorities to submit special information concerning action taken on the recommendations of the Council in respect of petitions examined, when the Trusteeship Council deemed it necessary. His delegation felt that it was essential that the Administering Authorities should as a matter of course submit the information in question in order to avoid misunderstandings and disputes in the General Assembly. Such misunderstandings and disputes would not fail to arise if delegations to the General Assembly had individually to apply to certain Administering Authorities for information concerning the action taken on specific recommendations of the Council in respect of the petitions examined. In that connexion, he recalled that at the 231st meeting the Brazilian representative had mentioned the case of a student from a Trust Territory who had wished to obtain the foreign exchange necessary for continuing his studies in the United States. The Council had requested the Administering Authority to review the question, but had not thought it necessary to inquire how the matter had been disposed of. The Council could not, therefore, by following its present procedure, obtain information on subsequent developments in the case.

33. It had been mentioned before that members of the Trusteeship Council acted on instructions received from their governments and that therefore the Council did not necessarily reflect the opinion of the General Assembly. Yet, according to Article 87 of the Charter, the General Assembly and, under its authority, the Trusteeship Council, might accept petitions and examine them in consultation with the Administering Authority. The Trusteeship Council was therefore the technical organ acting under the authority of the General Assembly ; that rule was valid equally for Administering Authorities and for members of the Council who did not administer a Trust Territory.

34. Hence, the Administering Authorities should as a matter of course submit to the Council the information in question, except in those cases where the Council did not deem it necessary. For that reason his delegation proposed adding to paragraph 3 of the operative part of the Yugoslav draft resolution the following subparagraph (c), which restated the terms of General Assembly resolution 435 (V) : " To reconsider the possibility of requesting the Administering Authorities to submit each year special information concerning action taken on the recommendations of the Council in respect of petitions examined, except in those cases where the Council does not deem it necessary ". If that amendment was accepted, paragraph 4 of the Yugoslav draft resolution could be dropped.

35. In addition to the reasons he had given, he felt a change in the Council's procedure for dealing with petitions was necessary in order to give effect to the Universal Declaration of Human Rights.

36. Mr. TREBINJAC (Yugoslavia) pointed out that what was being proposed was not a new idea ; the intention was merely to give effect to a resolution adopted by the General Assembly at its fifth session. he was therefore surprised at the opposition shown by some delegations to the Yugoslav draft resolution.

37. Paragraph 1 of the operative part of his text should not be construed as implying criticism ; it merely recognized the fact that the Trusteeship Council had not yet devised an adequate procedure.

38. With regard to the Dominican amendment to paragraph 3 (a), he agreed with the Indian representative that it was better to leave it to the Council or the standing committee to draw up the committee's programme of work.

39. Replying to criticisms of the passage in paragraph 3 (b), " or as may be obtained by the standing committee from any other source which it deems useful ", he felt that, particularly in the case of relatively more important petitions, the Committee should not restrict itself to two sources of information ; it might, for example, find valuable information in the reports of some specialized agencies or government agencies.

40. He did not fully understand the object of the amendment submitted by the Cuban representative, though he agreed with the latter's arguments. Paragraph 4 of the Yugoslav draft resolution almost literally

reproduced the terms of sub-paragraph (d) of General Assembly resolution 435 (V). If absolute concordance was desired, it would be sufficient to add the words " except in those cases where the Council does not deem it necessary ", which his delegation was perfectly prepared to agree to.

41. Mr. PIGNON (France) noted that some of the statements which had just been made in the Committee, and in particular those of the representatives of the Dominican Republic and of India, offered definite possibilities of a compromise. It was in that same spirit that the French delegation proposed the following modifications : first, that paragraph 1 of the operative part should be deleted, for the reasons given by the representative of the Dominican Republic ; secondly, that paragraph 3, sub-paragraph (a), should be changed to read : " To constitute a committee for the examination of petitions which would meet either between or during sessions of the Trusteeship Council, depending on the number of petitions, the presence of special representatives of the Administering Authorities, and of petitioners, if necessary, or any other practical consideration " ; thirdly, that in paragraph 3, sub-paragraph (b), the words " or as may be obtained by the standing committee from any other source which it deems useful " should be deleted ; fourthly, that paragraph 4 should be deleted in its entirety, since it would place far too heavy a responsibility on the Administering Authorities and would, moreover, become superfluous if the Cuban amendment was taken into consideration.²

42. Mr. MIKAOUÏ (Lebanon) recalled that at the 221st meeting, during the general debate on the report of the Trusteeship Council, the Lebanese delegation had given what it regarded as sound reasons for the establishment of a standing committee on petitions, and had also drawn attention to the number of petitions which it had not proved possible to study during the previous year owing to lack of time. Accordingly, he would not go over those arguments again.

43. He would merely point out, in reply to the remarks made by the Belgian representative, that the question of the Ewes and the problems concerning Somaliland under Italian administration—which, as that representative had rightly emphasized, formed the subject of a large number of petitions—had not yet been finally settled, that the number of petitions which it had not been possible to study owing to lack of time was considerable and that the best solution of those difficulties would be the establishment of a standing committee on petitions.

44. The Lebanese delegation therefore supported the Yugoslav draft resolution. It also approved unreservedly the Cuban amendment. It was, however, opposed to the amendment submitted by the Dominican Republic, to the effect that paragraphs 1 and 2 of the operative part of the Yugoslav draft resolution should be deleted ; nor could it give its approval to the amendment proposed by the representative of the

Dominican Republic to paragraph 3, sub-paragraph (a), as it believed that the settlement of that question should be left to the Trusteeship Council or to the committee on petitions. For the same reason, it could not support the French amendment.

45. Mr. SAYRE (United States of America) said that the question of the procedure to be followed in examining petitions had been under consideration by the Trusteeship Council for some time. The right of petition was of great importance to the inhabitants of the Trust Territories and was a fundamental part of the Trusteeship System ; the Trusteeship Council was therefore most eager to find a satisfactory solution to a problem which offered many practical difficulties. One of the causes of the difficulties was the need for all necessary information to be available to the committee responsible for examining petitions so that it could discharge its functions adequately. For that purpose, it was important that special representatives thoroughly familiar with conditions in the Territories in question should attend the committee's proceedings. Those representatives were necessarily senior officials of the administrations of the Territories. If the procedure adopted for examining petitions were such as to require them to remain at United Nations Headquarters over too extended a period, that might well have adverse effects on the administration of the Territories.

46. After a preliminary study of the problem, the Council had adopted its resolution 347 (IX), of which it was incorrect to say, as some had done, that it deviated from General Assembly resolution 435 (V). In point of fact, the Council had spent much time in trying to solve that difficult problem ; it had reached the conclusion that it should continue the study of the question at its following session in the light of further information. The Council had therefore decided, as stated in paragraph 4 of its resolution, to request members to give further study to means of perfecting procedures for the examination of petitions so that they would be in a position to give their views at the tenth session of the Council, possibly in conjunction with the revision of the rules of procedure proposed by the Council's Committee on General Procedure, and in the light of General Assembly resolution 435 (V). Hence, the Trusteeship Council was intending to continue the study of the problem on the basis of its considerable experience in that field, with a view to its solution in the light of the General Assembly resolution.

47. Referring to the amendment proposed by the Cuban representative, he said that the question was already before the Trusteeship Council for, in paragraph 3 of its resolution 347 (IX), it had invited the Administering Authorities to submit special information concerning action taken on the recommendations of the Council in respect of petitions examined, in cases where the Trusteeship Council indicated such action to be necessary.

48. Several other amendments to the Yugoslav draft resolution had been submitted in addition to the Cuban amendment. All those proposals had been

² The French amendment was later distributed as document A.C.4/L.184.

motivated by the wish to improve the procedure followed for the examination of petitions. It would therefore be most desirable if the sponsors of those proposals could consult together with a view to working out an agreed text. To enable them to do so, he suggested that the Committee should suspend further discussion of the question for a few minutes in the hope that agreement might be reached.

49. Mr. KERNKAMP (Netherlands) supported the suggestion made by the United States representative.

50. He noted that the Yugoslav draft resolution might have met with general acceptance but for the passage "or as may be obtained by the standing committee from any other source which it deems useful", which was liable to raise constitutional and other difficulties. At the same time, as the Yugoslav representative had pointed out, the information supplied by the Administering Authority and by the petitioner might usefully be supplemented by information from other sources. Accordingly Mr. Kernkamp proposed that the passage in question should state expressly that such information would be taken from "official or authoritative sources".

51. Sir Alan BURNS (United Kingdom) also supported the suggestion of the United States representative.

52. Nevertheless, some of the statements made regarding the work of the Trusteeship Council required an immediate reply since it was necessary to dispel those misunderstandings which seemed to be at the root of a good deal of the criticism levelled at the Council's procedure. First, it was inaccurate to say that, owing to lack of time, the Trusteeship Council had had to dispense with the examination of a large number of petitions. The Council had, in fact, studied all the petitions which had reached the United Nations within the time limit prescribed by the rules of procedure and had even studied some which had been received after that time limit. Secondly, it was not true to say that, owing to pressure of time, a large number of petitions had not been examined thoroughly enough by the Council. It was common knowledge that many of the petitions received related to the question of the Ewes or to problems affecting Somaliland under Italian administration and that, since many of those petitions dealt with the same subject, they could be studied simultaneously. Petitions relating to different questions had been examined separately.

53. He was the first to appreciate the importance of the right of petition, but he believed that the Council had not in any way neglected that aspect of its work. The Council had carefully studied the numerous petitions that had come before it, despite all the difficulties which had arisen. There were therefore no grounds for stating that the Council had not been able to examine the petitions in a satisfactory way. On the contrary, the Council fully realized its obligations in the matter of petitions and would adequately discharge its obligations at the proper time.

54. Mr. PEREZ CISNEROS (Cuba) stated that he would withdraw his amendment in favour of paragraph 4 of the Yugoslav draft resolution if the words "except

in cases where the Council does not consider it necessary" were added to the paragraph. When the subject had been discussed in the previous year, the Administering Authorities had claimed, through their representatives, that they were not required to submit special information concerning action taken on the recommendations of the Council in respect of petitions examined, unless the Council considered it necessary. In such cases the Council would have to take a decision in every particular instance, a procedure which was bound to prove embarrassing to members of the Council who would naturally be reluctant to approach the Administering Authorities with a request that would seem to imply a certain mistrust. As against that point of view, there was the attitude, reflected in General Assembly resolution 435 (V), of those who had felt that the Administering Authorities should normally submit information concerning action taken on the recommendations of the Trusteeship Council in respect of petitions examined, except in cases where the Council did not consider it necessary. Unfortunately, the Council had not followed the line taken by the General Assembly but had, in its resolution 347 (IX), confined itself to requesting the Administering Authorities to submit such information when the Council considered it necessary. The delegation of Cuba considered that such information should be supplied as a matter of course, except in cases where the Trusteeship Council did not consider it necessary. Accordingly it supported paragraph 4 of the Yugoslav draft resolution subject to the change mentioned.

55. It should be noted that paragraph 4 as so revised would even be an advance on the corresponding paragraph of General Assembly resolution 435 (V). By paragraph 4 of the draft resolution, the General Assembly would directly request the Administering Authorities to submit to the Trusteeship Council each year special information concerning action taken on the Council's recommendations in respect of all petitions examined, whereas in its earlier resolution the General Assembly had merely recommended the Trusteeship Council to consider the possibility of making such a request to the Administering Authorities.

56. Mr. DE PAIVA LEITE (Brazil), replying to the representative of the United States, pointed out that the facts cited by his delegation to prove that in its resolution 347 (IX) the Council had departed from the terms of General Assembly resolution 435 (V) had not been called into question. As the Brazilian delegation had mentioned, Trusteeship Council resolution 347 (IX) had not made provision for the appointment of a standing committee on petitions, whereas the General Assembly resolution had recommended the Council to consider the possibility of constituting the *Ad Hoc* Committee on Petitions as a standing committee. Similarly, instead of asking the Administering Authorities to submit special information concerning action taken on the Council's recommendations in respect of petitions examined, except in cases where the Council did not consider that necessary, the Council had made the transmission of such information subject to a restrictive condition represented by the words "in cases

where the Trusteeship Council has indicated such action to be necessary". Furthermore, it was pertinent to mention that resolution 347 (IX) had been adopted by the Council by a very slight majority, which was unusual for the Council.

57. As the representative of the United States had pointed out, the Trusteeship Council had admittedly not yet finished studying the question; but when the General Assembly made a recommendation to the Trusteeship Council, it naturally expected it to be complied with before its following session. The General Assembly could surely not wait indefinitely for the Trusteeship Council to carry its resolutions unto effect.

58. Mr. KHALIDY (Iraq) inquired whether the representative of Yugoslavia would agree to amend-

ments which radically changed his draft resolution. The delegation of Iraq, considering the text quite satisfactory, proposed to support the Yugoslav draft resolution as it stood. However, if the amendments moved by the delegations of the Dominican Republic and of France were embodied in the draft resolution, it would suffer a substantial change.

59. Mr. TREBINJAC (Yugoslavia) said he would not accept any amendment that materially altered the character of his draft resolution. He thought it would be useful, however, if, as the representative of the United States had suggested, the authors of the various proposals consulted together with a view to working out an agreed text concerning certain points.

The meeting rose at 12.50 p.m.