

80. Mr. SHUKAIRY (Syria) asked whether any of the persons named by Mr. Inman were pro-Arab.

81. Mr. INMAN (representative of the American Christian Palestine Committee) replied that he was not familiar with the opinions of all the many members of the organization.

82. Replying to Mr. SHUKAIRY (Syria), Mr. INMAN added that General Assembly resolution 303 (IV) was, in his opinion, unworkable.

83. Mr. SHUKAIRY (Syria) asked whether Mr. Inman had come to ask the Trusteeship Council not to implement that resolution.

84. Mr. INMAN (representative of the American Christian Palestine Committee) replied that he had made it clear that he was not trying to instruct or request the Trusteeship Council to do anything; he was merely presenting to it a point of view.

85. Mr. SHUKAIRY (Syria) asked whether members of the Committee, or any of the people named, had asked themselves what would happen to the Holy Places in Jerusalem if war broke out between Israel and any other neighbouring State.

86. Mr. INMAN (representative of the American Christian Palestine Committee) said that he could well imagine what would happen, because he knew what had in fact happened during the recent war, when some of the Holy Places had been destroyed.

87. Mr. JAMALI (Iraq) asked whether Mr. Inman thought that every resolution in favour of which representatives of the Union of Soviet Socialist Republics and of Catholic and Arab countries voted, was bad and shocking.

88. Mr. INMAN (representative of the American Christian Palestine Committee) replied in the negative.

89. Mr. JAMALI (Iraq) pointed out that, in 1947, the representatives of both the Union of Soviet Socialist Republics and the United States of America had voted in favour of partition.

90. Mr. INMAN (representative of the American Christian Palestine Committee) replied that, in 1947, conditions had been different.

91. Mr. JAMALI (Iraq) said that the statements made by Mr. Inman provided further proof that the Jerusalem problem was not a local problem, but one which concerned the whole world and could only be settled internationally.

92. In reply to Abdel MONEM MOSTAFA Bey (Egypt), Mr. INMAN (representative of the American Christian Palestine Committee) stated that public opinion, not only in the United States, but also at least in France and Great Britain, had been highly critical of the General Assembly resolution.

*Mr. Inman withdrew.*

93. The PRESIDENT read out a telegram signed by Rabbi Israel Domb, Secretary of Neture Karta,

123 Manor Rd., London N.16, asking him (the President) to take into consideration the fact that the Jewish Orthodox population of Neture Karta in Jerusalem wished to live under the international protection of the United Nations and not under the sovereignty of the State of Israel, whatever Zionist propaganda might be spread to the contrary (T/457/Add.2).

94. Mr. RYCKMANS (Belgium) asked that any further requests for hearing should only be granted after full discussion of each request in the Council.

95. The PRESIDENT pointed out that that was the procedure followed in the past. Four requests for a hearing had been received, and all had been put to the Council. As no member had raised any objection, the requests had been granted. The same procedure would be followed in the future.

The meeting rose at 6.40 p.m.

## 221st meeting

### NINETEENTH MEETING

*Held at the Palais des Nations, Geneva,  
on Thursday, 9 February 1950, at 2.30 p.m.*

*President : Mr. Roger GARREAU*

*Present : The representatives of the following countries : Argentina, Australia, Belgium, China, Dominican Republic, France, Iraq, New Zealand, Philippines, United Kingdom, United States of America.*

### 37. Examination of annual reports on the administration of Trust Territories (resumed from the 17th meeting)

TANGANYIKA, 1948 (T/218, T/333, T/356, T/356/Add.1, T/356/Add.2 and T/L.10 (resumed from the 17th meeting))

*At the invitation of the President, Mr. Lamb, special representative of the Administering Authority for the Trust Territory of Tanganyika, took his place at the Council table.*

1. The PRESIDENT said that the Council would resume consideration of the annual report of the Administering Authority for the Trust Territory of Tanganyika for 1948<sup>1</sup> and thereafter, in accordance with the decision reached at the seventeenth meeting, take up the examination of the petitions relating to the Bugufi problem; the *Ad Hoc* Committee on Petitions would undertake a preliminary examination of the other petitions relating to the Trust Territory of Tanganyika.

2. Mr. JAMALI (Iraq) said that he deeply appreciated the valuable information contained in the annual report of the Administering Authority for the Trust

<sup>1</sup> See *Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Tanganyika for the Year 1948*: His Majesty's Stationery Office 1949, Colonial No. 242.

Territory of Tanganyika for 1948, and in the oral statements and replies made by the United Kingdom representative and the special representative. He agreed with the general observations made by the representatives of the Philippines and China on the administration of the Territory.

3. He maintained what he had said on a previous occasion about the Inter-Territorial Organization of Tanganyika, Kenya and Uganda—namely, that he was in favour of such developments so long as they were conducive to the eventual independence and integration of the territories concerned. But if at any time it became apparent that such organization would retard their attainment of self-government or independence, the Trust Territory of Tanganyika should be developed separately from Kenya and Uganda. The representative of the Administering Authority had given an assurance that it would not permit the Inter-Territorial Organization to harm Tanganyika's development, but it should not be forgotten that the Visiting Mission to Ruanda-Urundi and Tanganyika had recommended in its report (T/218) that the Council should review the effects of the Inter-Territorial Organization in a few years' time.

4. He had noted with interest the steps taken by the Administering Authority to advance the political development of the Territory, but he hoped that the number of indigenous members on the Legislative Council would be increased, that a liberal electoral system for the indigenous inhabitants would be introduced and that the Administering Authority would request the Constitutional Development Committee to recommend means of increasing indigenous representation on the Legislative and Executive Councils.

5. He welcomed the establishment of the Lake Province Council, and hoped that similar councils would soon be established in all other provinces.

6. He hoped that the Administering Authority would reconsider and follow up the recommendation of the Visiting Mission (T/218, Chapter III, E, section 2) that all land which had belonged to ex-enemy aliens should be handed over to the indigenous peoples, as was the case in other Trust Territories. He was aware that conditions in Tanganyika differed from those in other Trust Territories, but he could see no insurmountable obstacle to the implementation of that recommendation.

7. The Council should lay down, as a fundamental principle of economic policy for the Territory, that the indigenous inhabitants should play a greater part than they did at present in the affairs of companies exploiting the Territory's mineral and other resources, or producing raw materials or manufactured goods there. The General Assembly had already adopted (General Assembly resolution 322 (IV)) a principle similar in substance, which was closely related to the principle laid down in the Charter of the United Nations, Article 73—namely, that the interests of the inhabitants of Trust Territories should be considered paramount by all Members of the United Nations. Fears had been expressed in the General Assembly that certain economic policies were

more concerned with increasing the production of raw materials for the use of metropolitan countries, than with the need for raising the standard of living of the indigenous inhabitants. He had therefore been glad to note that the representative of the Administering Authority had indicated that investments in the Territory were intended primarily to raise the standard of living of the indigenous inhabitants, and only as a secondary consideration to increase exports of raw materials from the Territory. He hoped he would have an opportunity of making further suggestions concerning the economic advancement of Trust Territories when the Council took up item 13 of its agenda concerning economic advancement in Trust Territories (General Assembly resolution 322 (IV)).

8. He was very concerned about the passage in the Visiting Mission's report (chapter V, F, section 5) relating to discriminatory laws and practices, which the General Assembly had recommended should be abolished. The superiority-complex of some members of the so-called white races caused unnecessary trouble in non-self-governing territories. He hoped that the Administering Authority would abolish all discriminatory laws and practices in the Territory, were any still in existence there. He also hoped that all penal sanctions for breach of contract would be abolished in the Territory; provision for such abolition had been made in international conventions and recommended by the General Assembly (General Assembly resolution 323 (IV)).

9. He welcomed the steps taken by the Administering Authority to promote the educational advancement of Tanganyika; however, since he believed that educational advancement formed the best foundation for all types of development in Trust Territories, he hoped that the Administering Authority would lay greater emphasis on the need for improving all kinds of education, and that effective use would be made of it as a means of fostering national loyalty in the Territory in the place of tribal and regional loyalty, and of spreading knowledge of the aims of the United Nations. A study might be made of the lasting effects of four years' primary education, and of the question whether that period was sufficient, or whether it should be increased to five years. The number of secondary schools in which sixth-form work was done should be increased. He hoped that steps would be taken to provide the inhabitants of the Territory with greater facilities for higher education, particularly overseas; for the time being, medical students and students of agriculture and certain other technical subjects should be trained overseas rather than in the Territory itself. Only if such training was provided could the Territory be speedily developed. Special efforts should also be made to improve the education of girls, especially in such subjects as medicine, teaching, domestic economy and social welfare. It would be advisable to provide mixed schools at which African, Asian and European children could study together, as a means of eradicating racial discrimination and allied practices.

10. He wished again to thank the Administering Authority, the United Kingdom representative on the

Council and the special representative for their kind co-operation, for the useful information they had supplied, and for their boundless patience in listening to the criticism and advice of members of the Council. The administration of the Trust Territory of Tanganyika was no easy task, but that Territory deserved every effort which could be made to promote its development. He had gladly noted many promising signs in the annual report for 1948, and in the statements made by the special representative. He hoped that the Administering Authority would continue to co-operate with the Trusteeship Council, and take into account its recommendations, and that those recommendations would help the Territory attain self-government and independence.

11. Mr. LAMB (special representative) said that, since a number of points had been raised by various members of the Council in the course of the discussion on the annual report of the Administering Authority for the Trust Territory of Tanganyika for 1948, he would adopt the time-saving procedure of dealing with them by subject, rather than chronologically.

12. The Council's opinion on the question of the Inter-Territorial Organization was clearly not unanimous. So far as the economic and scientific aspects were concerned, no serious arguments had been adduced against the wisdom and propriety of the organization. In the case of the political aspect, he felt confident that, despite the fears expressed, all members of the Council were prepared to accept the assurances given by the Administering Authority. Indeed, he would recall that at the twelfth meeting one representative had even gone so far as to regret that the plans did not include the possibility of a future political integration of the territories.

13. The Council had undoubtedly noted the French representative's comment made at the seventeenth meeting that the Trusteeship Council could not assume that its conception of the Territory's future national and political status would ultimately tally with popular sentiment in the Territory. It must wait and see what decision would eventually be taken by the people, but in the meantime it was the duty of the Administering Authority to ensure that the people benefited from the results of inter-territorial co-operation in the scientific, economic and technical fields. The New Zealand representative had expressed the hope which the Administering Authority shared that the indigenous population would come to realize that the development of the Territory would be accelerated through that kind of co-operation. The Administering Authority would certainly do all in its power to allay the fears expressed by certain indigenous inhabitants.

14. With regard to the suggestion made at the fifteenth meeting that the Inter-Territorial Organization was not in harmony with the provisions of article 5(b) of the Trusteeship Agreement for the Territory, and the further suggestion that the Trusteeship Council should recommend to the Administering Authority that it adjust the measures already taken so as to bring them into harmony with the letter and the spirit of the United Nations

Charter and the Trusteeship Agreement, the Administering Authority could surely do no more than maintain its categorical assertion that the existing Inter-Territorial Organization was strictly within the terms of the Trusteeship Agreement.

15. It had been suggested at the seventeenth meeting that existing arrangements worked to the disadvantage of the Trust Territory of Tanganyika, and, in that connexion, reference had been made to the reluctance of certain unofficial members of the Kenya legislature to support proposals that a loan should be raised for the development of the East African Railways. That example had been cited as substantiation of the allegation that the influence of Kenya on the Inter-Territorial Organization was inimical to the independent development of the Trust Territory of Tanganyika. He would counter that argument by stating that the legislative councillors in question were particularly concerned with safeguarding the interests of their own territory, and had apparently been influenced to a certain extent by the fear that Tanganyika might be unable to shoulder responsibility for its share of the loan liabilities. It seemed that they did not share the confidence of the people of Tanganyika in the future economic development of that Territory.

16. The Council had shown great interest in the question of the Territory's political advancement. Whereas one representative had expressed dissatisfaction with the rate of progress, and another had thought that the tentative timetable for constitutional development and reform might be speeded up, the majority had fully appreciated the significance of the setting-up of the Constitutional Development Committee, which was entrusted with the task of examining all aspects of constitutional development. The problem of an electoral system, to which several members of the Council had referred, would receive the Committee's special consideration. He asked representatives to bear in mind that while no great difficulty was involved in introducing an electoral system for the non-African races, the problem was very different in the case of the African people, among whom illiteracy was still prevalent, and many of whom lived in widely scattered and sparsely populated areas. He must, however, assure the Council that the Committee would pay close attention to that aspect of constitutional development.

17. In his earlier statements at the twelfth meeting, he had explained that the question of increased African representation on the central Legislative Council was also being thoroughly considered by the Committee. Whether or not the Administering Authority decided to await the Council's final recommendations before increasing the present number of African members, its aim was to set up the newly constituted Legislative Council at the earliest practicable date. There would therefore seem to be no justification for the Chinese representative's statement at the fifteenth meeting that according to present plans many years must pass before the African membership on the Legislative Council rose to eight.

18. Referring to the Visiting Mission's recommendation contained in its report (chapter I, section D) concerning the establishment of provincial councils, he would point out that proposals for the setting up of such councils had been under consideration by the Administering Authority long before the Visiting Mission had visited the Territory. The future constitution of those councils also came within the purview of the Constitutional Development Committee.

19. The Council had expressed approval of the Administering Authority's general policy concerning the alienation of land, although two representatives had expressed concern at the fourteenth meeting because the Administering Authority had not acted on the suggestion of the Visiting Mission with regard to the disposal of ex-enemy property. He had already stated, in reply to question 10 (T/L.10) submitted by the Philippines representative, the reasons which had led the Administering Authority not to apply in Tanganyika the system adopted in the Cameroons, whereby ex-enemy property had been acquired by the Administration and leased to a development corporation. Furthermore, in its observations (T/333, chapter III, B) on the Visiting Mission's report, his Government had fully commented on the suggestion that all land which had formerly been in the possession of ex-enemies should be transferred to African ownership, preferably on a co-operative basis. He would therefore only add that co-operative principles and practice were as yet insufficiently understood by Africans for application by them to estate management. From the economic point of view such a solution would have been not merely impractical, but disastrous. The estates which were now being handed over to the Africans would be divided up into individual holdings, to be held on the tribal system of land tenure in accordance with the usual African custom.

20. Two other observations made at the seventeenth meeting on the question of land alienation called for an answer. The Chinese representative had referred to the serious political and social disadvantages incurred by Africans as a consequence of the extensive alienation of land to non-indigenous persons. The annual report surely made it clear that, although in one or two areas the land shortage had been aggravated by excessive alienation under the German administration, the problem was at present being dealt with both by the reversion of alienated land to tribal use and by the opening up of new land. He was unable to understand the Chinese representative's regret that certain Europeans should have formed a European association for Tanganyika. Indian, Arab and African associations, formed to protect their own special interests, had been in existence for a number of years, and it followed logically that European inhabitants in the Territory should take similar action. There was no reason why the interests of any other section of the community should suffer thereby. European leadership did play, and must inevitably continue to play, a vital part in the development of the Territory, and it was regrettable that, in that connexion, reference should have been made to an isolated statement by one individual.

21. The Chinese representative had also suggested that certain essential information on land policy was absent from the report. Every effort had been made to provide all the information requested by the Council, and he did not doubt that a request for further information, should it be made, would be met to the fullest possible extent.

22. The meaning of the expression "land wastage", used by the Philippines representative at the seventeenth meeting was not clear. He (Mr. Lamb) could only assure him that the Administering Authority invariably paid close attention to such issues as population pressure whenever the question of alienation of land to non-Africans was being considered.

23. With regard to mining development, the representatives of the Philippines and of the United States had suggested at the seventeenth meeting that the Administering Authority had supplied insufficient information on revenue derived from mining operations. They would undoubtedly appreciate the difficulties involved in supplying exact details and precise statistics of revenue from all the sources accruing to the Territory's budget from mining operations. His Government had pointed out in its observations (chapter III, E, section 3) the difficulty, if not the impossibility, of supplying such statistics. It was certainly possible to give details of direct revenue accruing from royalties, but it was most difficult to form even a reliable estimate of indirect revenue. A comprehensive estimate would perforce have to include such items as income and personal taxes paid by persons engaged in mining operations, customs duties on all imported goods, revenue accruing to railway and other transport services as a result of the mining operations, all kinds of licensing fees, etc. Individual payments of income tax were, of course, confidential. Large mining companies published reports and balance-sheets giving full details of expenditure and profits, but small private companies and individuals did not normally publish such statements.

24. The Philippines representative had pointed out that his written question on that subject had remained unanswered. To his apologies he (Mr. Lamb) must add the explanation that he had been very rushed in giving written answers to written questions within the time available, and had been under the impression that he had answered every one. He had certainly had no intention of leaving any question unanswered.

25. Turning to social development he would refer to the United States representative's suggestion that the shortage of medical staff might be remedied by recruiting doctors from among displaced persons in Europe. The Council and the United States representative would no doubt be interested to learn that several doctors of non-British nationality were already in the service of the Government of the Territory.

26. With regard to labour questions, reference had been made in the Visiting Mission's report (chapter V, A, section 10, second paragraph) to the retention of the penal sanction for desertion. The Administering Au-

thority hoped that the time would soon come when it would be possible to abolish that one remaining sanction, but in the meantime, thanks to the full explanations which had been given on more than one occasion, the Council was no doubt aware of the special nature of that problem in the Territory. It was not just a case of protecting the interests of employers, but African workers must be taught a proper appreciation of the responsibilities of a party to a voluntary agreement. It still happened that persons entering into such an agreement took advantage of the facilities and benefits offered them with no real intention of fulfilling their part of the contract. In many countries, an action for breach of contract could be taken to court, but such a procedure would be both inappropriate and ineffective at the present stage of development in Tanganyika.

27. With regard to the point raised by the Philippines representative at the seventeenth meeting concerning the abolition of the penal sanction for the use of abusive and insulting language by an employee to an employer, he need only say that the action taken to remove that sanction from the labour legislation in the Territory did materially affect the situation. The appropriate section of the penal code was not applicable to native servants alone, and to constitute an offence under that section, there must be an act likely to cause a breach of the peace.

28. The United States representative's reference at that meeting to the question of workmen's compensation appeared to be due to a misapprehension, possibly because section 151, paragraph (h) (page 143), of the annual report was not perfectly clear. Existing legislation covered the payment of compensation in the cases of fatally injured or permanently incapacitated workers. The Administering Authority had not yet, however, been able to introduce a system of compensation in the form of a pension. For reasons which the Council would appreciate, it had only been possible so far to arrange for the periodic payment of compensation in certain cases.

29. The Philippines representative had maintained that wage levels in Tanganyika were very low. Although, judged by certain standards, that was undoubtedly true, he felt constrained to draw attention to the fact that there had been a definite upward trend in recent years and that the Administering Authority fully appreciated the desirability of effecting further improvement. As he had said at the fourteenth meeting, employers of African labour would deny that such labour was "cheap". It was perhaps regrettable, but unavoidable, that wage rates had to be related to output. As the efficiency and productivity of the African worker increased through the influence of education and improved health standards, he would be able to command higher wages.

30. The Administering Authority fully appreciated the magnitude of its task in the field of education, and would make every effort to speed up the programme of development, particularly by providing more schools and training teachers. The Council need entertain no doubt of the Administering Authority's appreciation of the

value of education which, as one representative had said, constituted an investment which would bring very high returns.

31. The question of inter-racial schools raised by the Iraqi representative at the fifteenth meeting had not escaped the Administering Authority's attention, but the different standards of various races and the number of different languages spoken constituted a serious obstacle to their institution.

32. Primary education was given in the vernacular: in Swahili in the African schools, in the appropriate Indian tongue in the Indian schools, in Greek in certain Greek schools and in English in the other European schools. It would only be possible to contemplate the introduction of inter-racial education when a greater proportion of the inhabitants of all races were in a position to use English as a medium of instruction.

33. In connexion with racial advancement in general, the United States representative had described question 140 of the Council's Provisional Questionnaire (T/44) as somewhat vague and difficult to answer. Difficulties notwithstanding, efforts would be made in future reports to provide a fuller answer. But it should be borne in mind that the question referred to voluntary organizations, which were not subject to government control, and he assumed that the Council would not wish the Administering Authority to interfere in any way with their freedom. In that case, the amount of information which could be included in an official report must depend on the willingness of those organizations to provide information about their activities in the cultural, educational, social or political fields.

34. Recalling the Philippines representative's reference at the twelfth meeting to the freedom of the Press, he must reiterate that the Press enjoyed complete freedom in the Territory. There was no local censorship of any sort. Admittedly there was little in the way of an independent African Press at present, but it would no doubt develop in due course.

35. As regards racial discrimination concerning which the Philippines representative had submitted a question of a general character (question 15, T/L.10), he would emphasize in reply that the Administering Authority and the local administrations were determined to do everything possible to put an end to any form of racial discrimination. The Visiting Mission had suggested in its report (chapter V, F, section 6) that the Administering Authority should consider the statements on the alleged discrimination in prisons. He could only reiterate that prison conditions were so well known and so fully reported upon that no special enquiry into the problem was necessary.

36. Several references had been made to earlier suggestions, recommendations or resolutions adopted by the General Assembly or the Council and it had been suggested that the Administering Authority's attention should once more be drawn to them. It was for the Council to consider whether such action was necessary, but, speaking as the special representative of the Administering Authority for the Territory, he would only

say that the Administering Authority was already fully aware of all the points covered by those suggestions, recommendations and resolutions.

37. Several representatives had suggested that the Council should request the Administering Authority to provide fuller information in future reports. He could assure the Council that the Administering Authority would continue to do everything in its power to provide all the information required by the Council. But, speaking from his own personal experience, both as a Headquarters official and a field officer, of the heavy burden laid on administrative officers in the field by frequent and repeated requests for statistics and detailed information, he could not but appreciate the comments made at the seventeenth meeting by the New Zealand representative to the effect that the Council should exercise a certain measure of self-discipline in framing requests for further information. Might he therefore submit a petition on behalf of administrative and other officers, and venture to ask the Council to request supplementary information only when it was really necessary for the proper examination of any particular problem?

38. In conclusion, he would say that the Administering Authority had endeavoured to show that progress was being made in the Territory of Tanganyika, although it did not claim to have broken any records. Indeed, it preferred the gradual achievement of a sound progress to the speedy achievement of ephemeral results. The United States representative had spoken of the need for sound foundations. He believed that the Council would agree that, in laying any foundations, thoroughness and good workmanship were of the utmost importance.

39. Sir Alan BURNS (United Kingdom) said that the United Kingdom Government was not complacent about its administration of Tanganyika, but was as anxious as anyone else to see greater progress made there. It was grateful for the constructive suggestions made by members of the Council, which would be carefully studied.

40. The Administering Authority was willing upon request to provide the Trusteeship Council with all the additional information it could, and to include such information in the next annual report, but he hoped that the Council would always reflect carefully before requesting additional information. The report for 1948 ran to 320 pages, and its compilation had required much of the time of officials who might have been better employed in working for the advancement of the Territory. He agreed with the views of the New Zealand representative in that matter.

41. He had noticed that many representatives had referred to the Visiting Mission's report (T/218), but he had also noticed an evident reluctance to refer to the observations (T/333) of the Administering Authority on it. He also felt constrained to say in reply to the remarks made by the Philippines representative at the seventeenth meeting that no clear answer had been given to his written question 19 (T/L.10), that that was due to the lack of clarity in the formulation of the question, as in other cases when dissatisfaction

had been implied with the replies of the special representative.

42. Mr. LIU (China) said he still could not agree with the special representative that the Inter-Territorial Organization of Kenya, Uganda and Tanganyika, in its present form, was strictly in accordance with article 5(b) of the Trusteeship Agreement for the Territory of Tanganyika. He had already given his reasons at the seventeenth meeting.

43. He apologized for having said at that meeting that the number of indigenous members of the Legislative Council would not be increased until "many", not "some", years had elapsed. He had made a mistake in the dates mentioned by the special representative.

44. Mr. AQUINO (Philippines) thanked the United Kingdom representative and the special representative for their enlightening and forthright statements. The divergence of opinion about the administration of Tanganyika was a healthy sign that democratic methods were being used. However, he was sure that all members of the Council would agree that the main objective of the trusteeship system was the self-government or independence of the Trust Territories and the extension of the frontiers of freedom. If the contribution of his delegation to the objective examination of the annual report for 1948 had caused any displeasure, he could only plead for "discreet forbearance". The statements just made by the United Kingdom representative and the special representative had clarified the issues on certain specific questions and would make it easier for the Council to draw up the section on Tanganyika of its report to the General Assembly and to make appropriate recommendations about constitutional reforms, African representation on representative bodies, land alienation, penal sanctions, racial discrimination, the freedom of the Press in Tanganyika, and the need for the Council to exercise self-discipline in asking for additional information from Trust Territories. In connexion with the last point, there was nothing in the history of the Trusteeship Council which gave grounds for asserting that it had not in the past exercised restraint when asking for information from Trust Territories; and he was confident that it would continue to do so in the future.

45. Mr. JAMALI (Iraq), thanking the special representative for his interesting statement, said that he was, however, still not re-assured on the question which he had raised at the fifteenth meeting of sending more students overseas. He considered that such action was vital for the development of the Territory and for the development of national consciousness through education.

46. Mr. LAMB (special representative), explaining that his statement had been drafted before he had heard those observations of the Iraqi representative, stated that it was an important part of the Administering Authority's educational policy to send increasing numbers of students abroad for training, until such time as adequate facilities for higher education were developed within the Territory.



### - 38. Examination of petitions

PETITIONS FROM MWAMBUSUTA, MWAMI OF URUNDI, AND OTHERS RELATING THERETO (T/PET.2/49-3/5, T/PET.2/69-3/17, T/PET.2/70-3/18, T/PET.2/70-3/18.Add.1, T/PET.2/71-3/19, T/PET.2/72-3/20, T/PET.2/73-3/21, T/PET.2/75-3/22, T/PET.2/76-3/23, T/PET.2/77-3/24, T/PET.2/78-3/26, T/PET.2/79-3/27, T/PET.2/80-3/28, T/PET.2/81-3/29, T/PET.2/82-3/30, T/PET.2/84-3/31, T/PET.2/85-3/32, T/PET.2/86-3/33, T/PET.2/87-3/34, T/PET.2/88-3/35, T/PET.2/89-3/36, T/PET.2/90-3/37, T/PET.2/91-3/38, T/454, T/460, T/L.14)

47. The PRESIDENT proposed that the Council should take up the petitions dealing with the Bugufi area, recalling that it had decided at its fifth session<sup>2</sup> to adjourn the consideration of some petitions until such time as the annual reports of the Trust Territories concerned were discussed. At its seventeenth meeting the Council had decided to study the petition from Mwambutsa, the Mwami of Urundi, and others relating thereto. Since the agenda for the sixth session had been drawn up, the Secretary-General had received seventeen new petitions relating to the Bugufi area which had been listed by the Secretariat (T/L.14). The authors of the latter petitions expressed objections to the incorporation of Bugufi in Urundi, as had been requested by the Mwami of Urundi. Several alleged that the petitioners who had supported the Mwami's claim had been bribed to do so. One claimed the return to Bugufi of an area of Urundi which had allegedly belonged to it in the past.

48. Sir Alan BURNS (United Kingdom) agreed that apart from the petition from Mwambutsa, the Mwami of Urundi, concerning Bugufi, all the other documents listed as petitions concerning the Bugufi area were related to the Mwami's petition, so that all of them could be discussed jointly.

49. At the fourth session,<sup>3</sup> the Council had been informed by the Administering Authorities for Ruanda-Urundi and Tanganyika that they were investigating the petition of the Mwami of Urundi. In that connexion, Mr. Ryckmans and himself had been sent to Bugufi and Urundi. After they had reported to their governments, it was agreed that the *status quo* in the Bugufi area should be maintained. The observations of the Belgian and the United Kingdom Governments had been circulated to the Council (T/460 and T/454).

50. It was most important that the Trusteeship Council should take a decision on the Bugufi problem as soon as possible, as the best and quickest way of allaying anxieties and restoring tranquillity and amity in the area. He urged the Council to decide forthwith that the *status quo* in the Bugufi area should not be changed. The Council need reply only to the petition of Mwambutsa.

51. Mr. RYCKMANS (Belgium) said that, after studying the question, the Belgian Government had reached the

conclusion that the historical rights of Mwambutsa were indisputable. Nevertheless, as a result of the consultations it had held after the joint investigation in Bugufi carried out by Sir Alan Burns and himself into the wishes of the population regarding the claim of the Mwami of Urundi and the interests of the indigenous inhabitants of Bugufi in that connexion, the Belgian Government recognized that the Treaty concluded in 1923 between the United Kingdom and Belgium established a situation which had given the inhabitants on both sides of the new frontier no cause for complaint.

52. With regard to the historical background, he pointed out that the Bugufi area had in fact been a dependency of Urundi for some time. Originally, it had been virtually unpopulated bushland, which had been to some extent colonized about 1850 by Barundis sent by the Mwambutsa of Urundi, whose territory had already been over-populated at that time. Later, under German administration, the Bugufi Chief's independence of the Mwami had been recognized. Still later, before the treaty of 1923 and the partition of former German East Africa into the mandated Territories of Tanganyika and Ruanda-Urundi, he remembered that he himself, as the then Resident in Urundi, had had the Bugufi territory under his control. That was when a reconciliation had taken place between the Bugufi Chief and the Mwami of Urundi. It would therefore appear that when former German East Africa had been partitioned, Bugufi had formed part of, or had at any rate been more or less loosely attached to, Urundi.

53. In the course of the joint investigation with Sir Alan Burns, he had ascertained that more than 50 per cent of the population had had no acquaintance with the previous régime, and had no desire for any change in a situation in which the Bugufi chief was, from the native point of view, independent of the Mwami of Urundi. Therefore, the Belgian Government, while of opinion that the historical rights of Mwambutsa were indisputable, nevertheless felt unable to support his petition, since the will of the people had been clearly demonstrated in favour of the maintenance of the *status quo*. The Belgian Government had been unwilling to take a stand on the question of whether historical rights should take precedence over the will of the people. The situation which had existed for the last 30 years seemed to have been acceptable to the people until local agitation had started, as a result of the petition. He was convinced that such agitation would cease as soon as a decision had been taken on the petition under examination.

54. The PRESIDENT, recapitulating, recalled that the representative of the United Kingdom had suggested that the Trusteeship Council should inform, by means of a reply to the Mwami of Urundi, the authors of all the related petitions that after examining the question, it had decided that the *status quo* should be maintained in regard to the district of Bugufi and that the two Governments concerned, after making an investigation, were in agreement on the solution proposed.

<sup>2</sup> See *Official Records of the Trusteeship Council*, fifth session, 24th meeting.

<sup>3</sup> See *Official Records of the Trusteeship Council*, fourth session, 11th meeting.

55. Mr. RYCKMANS (Belgium) pointed out that it had been the United Kingdom representative who had proposed the solution to which the President had made reference. He (the Belgian representative) for his part had simply drawn the attention of the Council to the observations of his Government (T/460) and pointed out that after the inquiry carried out in the area, his Government had come to the conclusion that the population had not manifested any desire for change.

56. The PRESIDENT explained that in its reply, the Council could only state that after examining the question raised by the Mwami of Urundi and the related petitions it had formed the opinion that the *status quo* should be maintained. He accordingly suggested that the Secretariat be requested to draft a reply in that sense for submission to the Council for final approval.

*It was so agreed.*

57. Sir Alan BURNS (United Kingdom) suggested that the Council send to the Mwami of Urundi a reply to his petition, and merely send copies of that reply to the authors of the other petitions.

58. Mr. JAMALI (Iraq) asked whether the Council considered that the decision just taken precluded further investigation of the petitions, and whether it considered that they had already been sufficiently investigated.

59. Sir Alan BURNS (United Kingdom) said that he and the Belgian representative had made a full investigation of the petitions concerning Bugufi. The submission of the petition by the Mwami of Urundi had aroused anxiety and some enmity. Friendly relations had existed between the peoples of Bugufi and Urundi for years; a prompt decision by the Council was the best way of restoring those friendly relations.

60. Mr. JAMALI (Iraq) expressed his satisfaction with the decision taken.

61. Mr. AQUINO (Philippines) said that, to complete the record, he would welcome more information from the representatives of Belgium and the United Kingdom as to the preferences of the people of Bugufi for one or the other Trust Territory.

62. Mr. RYCKMANS (Belgium) remarked that, as sometime Resident Officer in Urundi for two years, he had been in a position to observe that relations between the population of Bugufi and that of Urundi had always been good. The present local agitation was due solely to the claims put forward by the Mwami of Urundi. For that reason, he urged the Council, if it considered it advisable to maintain the *status quo*, to give its decision on the matter a character of finality, since only an absolutely final decision could restore peace to two peoples which hitherto had lived together in complete harmony.

63. Replying to the question put by the Philippines representative, he pointed out that, during the joint investigation, the Belgian Government had issued instructions that the Mwami of Urundi should be forbidden

to carry out propaganda in the area he claimed. In the course of the investigation, all the testimony he had heard in Bugufi was in favour of the maintenance of the *status quo*. In Urundi, four or five persons had spoken in favour of the contrary solution, but they hardly counted against the thousands of testimonies received in Bugufi. For that reason, the Belgian Government, while regretting that it was unable to support the petition of a person under its administration, had felt bound to limit itself to making the observations it had made in document T/460.

*The meeting was suspended at 4.20 p.m. and resumed at 5.10 p.m.*

64. The PRESIDENT read out the text of a draft resolution<sup>4</sup> embodying the proposed reply to the authors of petitions relating to the Bugufi area. The text was as follows:

*"The Trusteeship Council acting under Article 87 (b) of the Charter has at its sixth session, in conformity with its rules of procedure, accepted and examined in consultation with representatives of Belgium and the United Kingdom as the Administering Authorities concerned, a petition from Mwambutsa, the Mwami of Urundi, dated 25 July 1948 (T/PET.2/49-T/PET.3/5).*

*"The Council took note of the observations of the Governments of Belgium and the United Kingdom of Great Britain and Northern Ireland (T/460 and T/454 respectively).*

*"The Trusteeship Council,*

*"Having heard statements by the representatives of the Administering Authorities concerned to the effect that any alteration of the *status quo* would be contrary to the express wishes of the overwhelming majority of the people of Bugufi;*

*"Concurring with the conclusions arrived at by the Administering Authorities concerned;*

*"Decides that no action by the Council is called for on the petition;*

*"Invites the Secretary-General to inform the Administering Authorities and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council."*

65. Sir Alan BURNS (United Kingdom) expressed his full agreement with the text.

66. Mr. RYCKMANS (Belgium) also said that he found the text satisfactory.

67. The PRESIDENT explained that the text of the reply to the Mwami of Urundi, if adopted, would be communicated to all the other petitioners on the question.

*The draft resolution was unanimously adopted.*

*The meeting rose at 5.15 p.m.*

<sup>4</sup> See *Official Records of the Trusteeship Council*, sixth session, Supplement No. 1, resolution 116 (VI).



## TWENTIETH MEETING

*Held at the Palais des Nations, Geneva,  
on Friday, 10 February 1950, at 2.30 p.m.*

*President : Mr. Roger GARREAU.*

*Present :* The representatives of the following countries: Argentina, Australia, Belgium, China, Dominican Republic, France, Iraq, New Zealand, Philippines, United Kingdom, United States of America.

Observers from the following countries: Egypt, Syria.

### **39. Statement by the President relating to the trusteeship agreement for Italian Somaliland**

1. The PRESIDENT read out a telegram from Count Sforza, the Italian Minister for Foreign Affairs, addressed to the President of the Trusteeship Council (T/468), informing him that the Italian Parliament had just authorized the Government to assume the trusteeship of that Territory provisionally in accordance with the decision taken by the United Nations.

### **40. Question of an international régime for the Jerusalem Area and protection of the Holy Places (General Assembly resolution 303 (IV) of 9 December 1949) (T/423, T/457, T/457/Add.1 and Add.2 and T/L.15) (resumed from the 18th meeting).**

2. The PRESIDENT reminded the Council that they were to hear statements at that meeting by Monsignor Tiran, representing the Armenian Patriarchate of Jerusalem, and by Mr. Nolde, representing the Commission of the Churches on International Affairs.

*At the invitation of the President, Monsignor Tiran, representative of the Armenian Patriarchate of Jerusalem, took a seat at the Council table.*

3. Monsignor TIRAN (representative of the Armenian Patriarchate of Jerusalem) expressed his appreciation of and gratitude for the privilege of stating before the Trusteeship Council the views of the Armenian Patriarchate on the status of Jerusalem.

4. He recalled that the Armenian people had been established in Palestine and Jerusalem for over thirteen hundred years. The Armenian Church had endured great suffering during the First World War, when all monasteries, schools and religious establishments in its native land had been destroyed and the surviving members of the race scattered through the world. The Armenian people, which had not yet fully recovered from that terrible blow, looked to the Armenian Patriarchate in Jerusalem for spiritual leadership, and expected their monasteries and religious establishments in that city to play a preponderant role in their religious life. Thus, the fate of Jerusalem concerned not only the Patriarchate in Jerusalem, but the Armenian Church throughout the world; that Church numbered over 150,000 souls in the United States of America alone.

5. Before making his statement, he would point out that it had been prepared on the assumption that the Council would base its consideration on the draft Statute for Jerusalem (T/118/Rev.2). Perceiving, however, that the Council had not yet taken a decision on that point, he would ask whether, in the event of the Council's adopting another working-paper as a basis for its discussion, he would be permitted to make comments on that working-paper at a later stage.

6. The PRESIDENT thought that Monsignor Tiran might be allowed to make an additional statement once the Council had agreed on the lines on which its discussion would be conducted.

7. Mr. RYCKMANS (Belgium) disputed the right of the representative of the Armenian Patriarchate to question the Council on its intentions. He suggested that the President invite Monsignor Tiran to make his statement, with an assurance that he would be permitted to make an additional statement later if he so desired.

8. Mr. INGLÉS (Philippines) recalled that at the ninth meeting, the first meeting devoted by the Council at its present session to the consideration of the problem, his delegation had asked whether the draft Statute of 1948 or the proposals submitted on 30 January 1950 by the President (T/457) were to serve as the basic working-paper. On that occasion, the President had replied that the draft Statute must form the Council's basic working paper, but that the Council could take into consideration and express its views on any formal amendments to it which might be submitted. He assumed that the position remained unchanged.

9. Mr. RYCKMANS (Belgium), intervening on a point of order, observed that the question raised by the Philippines representative was not on the agenda for the present meeting, and therefore proposed that Monsignor Tiran's statement be heard.

10. The PRESIDENT reminded the Philippines representative that the Council had not been called upon to choose between two basic documents. As he had repeatedly stated, the Council had before it only one basic document—the draft Statute prepared in 1948. There could be no misunderstanding; General Assembly resolution 303 (IV) was quite specific in that respect.

11. Mr. JAMALI (Iraq) said that the Council had before it two documents, General Assembly Resolution 303 (IV) and the draft Statute prepared by the Council in 1948. In his opinion, any suggestions subsequently put forward could not alter the fact that the General Assembly had given the Council instructions which were definite and explicitly related to the draft Statute.

12. Monsignor TIRAN (representative of the Armenian Patriarchate of Jerusalem), resuming his statement, said that he had heard with profound gratitude the speeches made at the Council's sixteenth meeting, when certain members, and in particular the representative of Iraq, had stressed the sacred nature of the City of Jerusalem for the three great monotheistic reli-