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President: Mr. Leslie Knox MUNRO (New Zealand).

Present:

The representatives of the following States members of the Trusteeship Council: Australia, Belgium, China, El Salvador, France, Haiti, India, New Zealand, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representative of the following State non-member of the Trusteeship Council: Italy.

The representatives of the following specialized agencies: United Nations Educational, Scientific and Cultural Organization; World Health Organization.

Examination of conditions in the Trust Territory of Ruanda-Urundi: (a) annual report (T/1081); (b) petitions circulated under rule 85, paragraph 2, of the rules of procedure (*continued*)

[Agenda items 3 (b) and 4]

At the invitation of the President, Mr. Leroy, special representative of the Administering Authority for the Trust Territory of Ruanda-Urundi, took a place at the Council table.

GENERAL DEBATE (*concluded*)

1. Mr. LEROY (Special representative for Ruanda-Urundi) thanked the delegations which had congratulated the Administering Authority on various points. He felt obliged, however, to refute some of the remarks that had been made and to rectify others.
2. Several representatives had expressed apprehensions concerning the administrative union between Ruanda-Urundi and the Belgian Congo. He had repeatedly explained, however, that, far from obstructing the development of Ruanda-Urundi, the union was an advantage to the Territory, even from the political point of view. The 1948 and 1951 United Nations Visiting Missions to Trust Territories in East Africa had fully realized that fact: a glance at paragraphs 74 and 77 of the 1951 Visiting Mission's report (T/948 and Corr.1) was sufficient to show that that was the case.
3. The Chinese representative had deplored the fact that the basic Act of 1925 had not been formally amended and had not apparently realized the significance

of the Act of 15 April 1949. It was hard to understand that attitude, for the 1949 Act actually made the complete text of the Trusteeship Agreement, without reservation, a part of Belgian statute law. The Chinese representative had asked, too, that a single legislative system should be adopted for the whole of the Territory. That was exactly what the Administration intended to do: there were many fields in which the law already applied to all sections of the population, without distinction; where discrimination still occurred, it was due to circumstances, local customs or special needs. On the face of it, some types of discrimination might appear unfavourable to the indigenous inhabitants, yet there were other cases in which it was to their advantage.

4. The Syrian representative, who had said that in practice Ruanda-Urundi was under the jurisdiction, control and administration of the Governor-General of the Belgian Congo, had not apparently understood the scope of the extraordinary legislative powers of the Governor of Ruanda-Urundi. It was only rarely that the Belgian Parliament passed Acts applicable to the Territory; usually legislation was by decree promulgated by the Crown after consultation with the Colonial Council; in cases of emergency, the Governor of Ruanda-Urundi was authorized to issue a legislative ordinance suspending the decree or even conflicting with its express provisions. Accordingly, the true description of a legislative ordinance enacted by the Governor of Ruanda-Urundi was that it took the place of a decree of the Crown, not of provisions enacted by the Governor-General of the Belgian Congo. The only ordinances issued by the Governor-General which were immediately applicable in Ruanda-Urundi were those concerning customs or postal services; for all other matters the Governor-General issued ordinances for the Congo and the Governor of Ruanda-Urundi made them applicable to the Territory, or else issued his own ordinances. The Syrian representative had also criticized the participation of the Government — the Council of Ministers — in the drafting of decrees. There was, however, nothing of the sort: draft decrees were prepared by the African services and sent to the Minister for the Colonies, who submitted them to the Colonial Council; when the Council had given its views, the decrees were submitted to the Crown for signature. That was the only part the Government played in the matter, so that the composition of the Government had no practical effect on the drafting of the decrees.

5. Several representatives had drawn attention to the desirability of a closer fusion of the Belgian and indigenous administrations in the Territory. He could not say what would be the views of the Administering Authority on that suggestion, but he could assure the Council that the two were not kept in watertight compartments; the only real barrier between them was that raised by the Decree of 14 July 1952, pursuant to which only nationals of Ruanda-Urundi could serve on the superior councils of the two *pays* (states). The present dual system could be remedied in either of two ways: by the transfer of the powers of the European authorities to the indigenous authorities, or by the

replacement of European by indigenous officials. There were great drawbacks, however, to both alternatives: if all powers were transferred to the indigenous authorities, there would be the question of the rights of the Europeans, Asians and non-indigenous Africans living in the Territory to be considered; if Belgian officials were replaced by indigenous officials, there would be the danger of conflict with the customary authorities.

6. The Haitian representative had asked whether the traditional chiefs were sufficiently enlightened and progressive. Mr. Leroy could reassure him on that point: many of the chiefs had been educated at Astrida and had progressive ideas, while many of the old chiefs were eager to assimilate new ideas and were excellent guides for the people.

7. The representative of El Salvador had suggested that the Administering Authority should draw up plans for the Territory's political development, as it had for its economic and social development. That was quite conceivable, but it was the opinion of the Administration that economic and social advancement should precede political advancement. Indeed, it would be outrageous to grant the Territory political autonomy and at the same time to leave it closely dependent, economically, upon foreign Powers.

8. Several representatives had asked that an indigenous council should be set up that would be higher than the superior council of the two *pays*. He could not, of course, prejudge the attitude of the Administering Authority, but it was his personal opinion that the Council of the Vice-Government-General, upon which indigenous inhabitants could serve, would be able for a long time to come to perform the functions that would be vested in the proposed council.

9. The New Zealand representative did not appear altogether to have understood the explanations he had given with regard to police-court sentences. Apart from the right of appeal to a magistrate, which was open to any indigenous inhabitant who was sentenced, there was a procedure whereby the magistrate was required, by virtue of his office, to review all the judgments given by police-court magistrates and, if necessary, amend them. A new decree concerning indigenous jurisdiction was at present under study; it would deal, among other things, with the right of appeal, with a view to bringing the appeals procedure into line with that of the European courts.

10. The Syrian representative had expressed surprise that the Belgian Administration did not apply the principle of the separation of powers more fully. That was simply a matter of educating the indigenous inhabitants, many of whom still regarded the judicial function as the principal attribute of authority. The reforms introduced into the judicial organization in 1948 showed clearly how the Administering Authority was developing the judicial system. The Council could see for itself what the 1951 Visiting Mission had said on the subject (T/948 and Corr.1, para. 80).

11. The USSR representative had stated that under the present administrative system the true masters and administrators of Ruanda-Urundi were Europeans, in other words the Belgian Administration. That observation, made in indignant tones, was simply a repetition, in a slightly different form, of article 5, paragraph 1, of the Trusteeship Agreement. If the Administering Authority was expected to fulfil the obligations it had assumed, the rights it had been acknowledged to possess must not be contested.

12. The Indian representative's comments could be summed up as follows: in the space of thirty years the inhabitants had changed their religion and had taken to the cultivation of coffee and cotton; a comparable development could have taken place in political matters if the Administration had really wished it. In fact, however, the Administration had always said that it wanted to solve the economic before the political problem; the economic problem was immediate, pressing and vital, whereas the indigenous inhabitants had adapted themselves satisfactorily to the political situation, and the social structure that had evolved over the centuries was, if not ideal, at least perfectly adequate. Furthermore, the cultivation of coffee and cotton, which was the source of a revenue of hundreds of millions of francs each year to the indigenous inhabitants, would be abandoned if it were not for the constant publicity campaign conducted by the Administering Authority. As regards religion, the indigenous inhabitants had been prepared to accept it since they had had none; in political matters, on the other hand, the situation was different, since they had long been a part of a powerful political organization.

13. The majority of the delegations had expressed their satisfaction with the economic situation; consequently, he would merely state, in reply to an observation made by the Salvadorean representative, that Ruanda-Urundi had 150 metres of roads per square kilometre; that those roads were used by a large number of vehicles, many of which belonged to Africans; and that at Usumbura alone, for example, there were 35 indigenous transport agents. In addition, the development of road, water and air transport was an integral part of the ten-year plan.

14. In reply to the USSR representative's statement that the Belgian Administration continued to transfer land from the indigenous to the non-indigenous inhabitants without compensation, he felt bound to point out once more that the interests of the indigenous inhabitants themselves made the absolute prohibition of all concessions impossible. It was desirable to attract the indigenous inhabitants to the under-populated regions by means of agricultural settlements; the country would benefit from the settlement of colonists who were willing to begin reforestation work immediately. In any case, the question of land alienation was one of little general concern, since private non-indigenous inhabitants, including religious missions, occupied a total of 220 square kilometres. The charge was particularly malicious in that it accused the Administration of giving the lands to colonists free of charge, without adding that it had first bought the rights from the indigenous inhabitants.

15. With regard to the social field, several delegations had urged that corporal punishment in prisons and the restrictions of the movement of indigenous inhabitants should be abolished. The Administering Authority held the same view as the Trusteeship Council on those questions, but it felt that it was not yet possible to go further than it had already gone.

16. The USSR representative had alleged that the population was so oppressed that, apart from very rare exceptions, the Council received no petitions from it. In refutation, it would suffice to state that there was no Iron Curtain round Ruanda-Urundi and a petition had only to be mailed in order to reach the Trusteeship Council. Moreover, if fear were a deterrent, there was nothing to prevent the indigenous inhabitants from submitting anonymous petitions. To account for the small number of petitions from Ruanda-Urundi, Mr. Leroy pointed out that when one of the members of the 1948

Visiting Mission had urged the chiefs of Indian and Arab groups to submit petitions, they had replied that they preferred to deal directly with the Administration.

17. In answer to the Syrian representative's reproach that the Administering Authority had barred certain newspapers from the Territory, he said that many sovereign States did not freely admit every form of literature, particularly publications regarded as dangerous to the public peace, and pornographic and obscene publications.

18. The Chinese representative had expressed regret that persons not possessing a certain degree of literacy in a European language were denied permission to enter the Territory. That measure applied to European as well as other illiterates and its only object was to deny admission to persons who would be dependent solely upon petty trade for their livelihood, to the detriment of the indigenous inhabitants, and who would contribute nothing to the Territory's development.

19. The USSR representative had said that after eight years of the Trusteeship System there were still only 35 medical practitioners in the Territory. On the contrary, by 31 December 1952 there had been sixty-eight medical practitioners in Ruanda-Urundi: forty-one in government service, twelve missionaries and fifteen private practitioners. In that connexion, the Indian representative had suggested that further use might be made of the services of the World Health Organization. The Administering Authority greatly appreciated that agency's work and regularly co-operated with it; but as the Government spent considerable amounts for medical services in the Territory each year, it considered that in all fairness the benefits offered by the agency should rather be extended to less favoured countries which, not being Trust Territories under the administration of a metropolitan country, did not possess such well-organized medical services as Ruanda-Urundi.

20. With regard to labour, the French representative had suggested that penalties should be abolished. A decree dealing with that matter was under consideration; if the penalties were retained, they would apply not only to employees who failed to fulfil their obligations, but also to employers who failed to fulfil theirs. Employers were already liable to certain penalties, but if those affecting employees were maintained, those affecting employers would be strengthened.

21. As he had admitted earlier, wages were still low, though he had added that they had risen each year since 1948 and that, as they had increased more rapidly than the cost of living, the position of the worker was gradually improving. The USSR representative had cited as evidence of racial discrimination the fact that a European mechanic earned 380 francs per day whereas an indigenous mechanic earned only 35 francs. He should have realized that economic laws were inexorable and that as soon as an industrial employer could expect an indigenous worker to perform the same service as a European, he would cease to employ Europeans, if only to save the travel expenses.

22. With regard to the over-population of Ruanda-Urundi, most delegations had expressly or tacitly approved the policy of the Administering Authority, which sought to find a solution for that problem in land reclamation, the creation of food reserves, industrialization and emigration. The Indian representative had suggested voluntary birth control as an appropriate solution. Without going into the moral aspects of that problem, Mr. Leroy pointed out that while birth control was the most radical means of retarding the rate of

population growth, it was also the most dangerous. Recent history had shown that once a nation had adopted that policy, it could not discard it. To limit birth was the surest way of annihilating a people; and annihilation by such means was dangerously close to genocide. It should also be borne in mind that indigenous custom had the greatest respect for mothers and children. To suggest that the indigenous inhabitants should adopt birth control would gravely offend their most revered traditions, and such a campaign would meet with unanimous disapproval.

23. The New Zealand representative had expressed the wish that the indigenous inhabitants should be encouraged to live in villages. That was one of the primary objectives of the ten-year plan. On 31 December 1953 the number of farmers in the *paysannat indigène* north of Usumbura, who were among the first beneficiaries of the plan, had exceeded 5,000.

24. Each member of the Council recommended considerable increases in medical and educational services and the expenditure of larger sums of money by the Administering Authority for those purposes. It was advisable, however, to proceed slowly. Belgium was ready to make sacrifices for Ruanda-Urundi. It was making an interest-free advance of 400 million francs per year towards the execution of the ten-year plan. That sum would be used primarily for the acquisition of capital goods and construction work. The construction of schools and hospitals, however, involved considerable annual expenditure for staff and maintenance. Ruanda-Urundi would be inadequately prepared for self-government if it were accustomed to living on outside aid and if it were thoughtlessly reduced to economic servitude before it was granted independence.

25. The Chinese representative had expressed regret that there had been no new publications supplying information on the United Nations. The instruction provided in the schools was giving excellent results, considering that the dissemination of information by word of mouth was still the general rule in the Territory. Still, the Administration would be glad to arrange for the wider dissemination of information on the United Nations.

26. Some representatives had spoken in favour of free and compulsory education. Education was at present free for all indigenous inhabitants. The Administration also wished to make it compulsory, but that was obviously impossible until education could be provided for those subject to compulsory attendance.

27. The Indian representative had expressed surprise that religion was a compulsory subject in the schools. Religious instruction was one of the most effective means of introducing change into human society; in Africa the missionary was by far the best agent of civilization.

28. The Haitian representative had apparently reproached the Administration for wilfully restricting the opportunities for the indigenous inhabitants to obtain higher education. That was not the attitude of the Administering Authority; it wished to eliminate illiteracy and to give every indigenous inhabitant an opportunity to continue his education on a higher level; it was making every effort to set up a complete school system. The Syrian representative had considered that the period of education was too long. The students had to spend five or six years in the primary school and six years in the secondary school before going on to higher education; that appeared to be a normal period of study. The French representative had recommended

a more up-to-date programme for the education of girls. Actually, the ten-year plan was expressly intended gradually to bring girls' education up to the level of boys' education both in scope and in variety.

29. He felt particularly strongly about the statements made by the Indian, Haitian and Syrian representatives, who had ascribed to the Administration and to the special representative remarks which they had not uttered and attitudes which they had not adopted. The Administering Authority had never alleged that the indigenous population consisted of congenital criminals or idlers who preferred thieving to work; on the contrary, its annual report¹ said that the incidence of crime was low. The Administering Authority had certainly asserted that the majority had not yet adopted or become adapted to the rhythm of modern life. According to the Indian representative, that apathy might be due to a poor state of health. That was obvious, and the Administering Authority had stressed in its report that malaria was a cause of irregular work and lower output, and that the lack of fats and animal proteins in the diet of the indigenous inhabitants hindered normal productivity. For years the Administration had shown concern over that situation, and had been applying every remedy in its power. Finally, the Administration had never adopted a disdainful attitude, as some alleged. Officials lived in daily contact with the indigenous inhabitants, and mutual respect prevailed.

30. The Indian representative, supported by the USSR representative, had alleged that Ruanda-Urundi presented a spectacle of inertia. Yet in thirty years of administration — six of them war years during which activities were inevitably retarded — the Administering Authority had pacified the Territory and introduced several political reforms, which had been progressively more democratic, and several judicial reforms ensuring an ever greater separation of powers and guaranteeing individual rights; it had abolished the cruel criminal law, guaranteed to every inhabitant the fundamental rights due to a human person, defeated famine, reclaimed 250,000 acres of waste land and protected 600,000 acres against erosion, introduced coffee and cotton growing, which each year brought hundreds of millions of francs into the Territory, stocked the lakes with fish, built 8,400 kilometres of roads, and erected thirty-five hospitals and 103 dispensaries; furthermore, 10 million cases of medical consultation had been recorded in one year and 650,000 children had attended the Territory's schools in 1952.

31. On the other hand, he agreed with the Indian and Syrian representatives that the report was too voluminous. Yet it merely replied to the questions which the Council had asked, and the procedure followed in the examination of the reports encouraged certain delegations to request from the Administering Authority further information every year. Indeed, a third questionnaire was under consideration. He therefore supported the suggestions of the Indian and Syrian representatives; perhaps the report would be more satisfactory if the present Questionnaire (T/1010) were pruned to some extent.

32. Mr. RYCKMANS (Belgium) said that he would be failing in his duty to the Belgian officials, who for thirty-eight years had selflessly devoted themselves to serving the peoples of Ruanda-Urundi, if he did not

stress how painful an impression the remarks of the Indian and Syrian representatives had made on him. Numerous observers who had been on the spot had spoken differently of the Ruanda-Urundi Administration and of Belgium's achievements in that Territory. In that connexion, he would recall the communications and reports sent to the Indian Government, and the statements made in public, by Mr. Pant, who had been Indian Consul-General for the Belgian Congo and Ruanda-Urundi.

33. The Indian representative had accused the Administering Authority of having failed in its task, of having done practically nothing in the Territory, of lacking patience, tolerance and understanding, and of treating the indigenous inhabitants only with contempt. As one of the first Belgians to have arrived in Ruanda-Urundi after the Germans had been driven out, he found it bitter to hear it said now that nothing had changed. At that time not a single road had been built in the Territory; smallpox had been decimating the population and cattle-plague destroying the herds; the arbitrary rule of the chiefs had been entirely uncontrolled; confiscation of land had been the rule; soothsaying had been regarded by indigenous tribunals and by the inhabitants themselves as a form of evidence; a vendetta had immediately ensued whenever an indigenous inhabitant died from an unexplained cause. All that was now a thing of the past.

34. The Administering Authority had never claimed that the structure of indigenous society and the firm political organization of Ruanda-Urundi hampered progress; on the contrary, it had always stressed that the nature of that political organization, that national unity of two peoples, was an element of progress, provided that the innumerable shortcomings of that Administration were corrected. For thirty-eight years the Belgian Administration had been endeavouring to teach the powerful respect for the rights of the weak and to imbue the weak with an awareness of human dignity. The Administering Authority had never alleged that African children were different from European children. But it was true that a society which for centuries had been in servile and passive obedience to the chiefs, against whom there had been no redress, naturally became apathetic. The Administration did not blame the indigenous inhabitants for not being enamoured of progress, but it had striven to change their mentality and to make them understand the meaning of freedom.

35. He was happy to note that the Indian representative would be a member of the forthcoming Visiting Mission. Perhaps, when he travelled over the 8,000 kilometres of the Territory's roads, when he saw the forests which had changed even the outside appearance of the country, the magnificent farmlands and the flourishing coffee plantations which had sprung from swamps, when he visited the hospitals, dispensaries, schools and workshops throughout the Territory, he would remember that none of those had existed when the Belgians came. He also hoped that the Indian representative would question the indigenous inhabitants, Asians and Europeans, who had known those bygone days and could tell him whether, in their view, nothing had changed in the Territory since the Belgians came.

36. The PRESIDENT proposed the establishment of a Drafting Committee for Ruanda-Urundi, composed of the representatives of El Salvador, India, New Zealand and the United Kingdom.

¹ See *Rapport soumis par le Gouvernement belge à l'Assemblée générale des Nations Unies au sujet de l'administration du Ruanda-Urundi pendant l'année 1952*, Brussels, Etablissements généraux d'imprimerie, 1953.

It was so decided.

37. The PRESIDENT said that representatives who wished to reply to the observations made by the Belgian delegation or by the special representative would be free to do so when the Council discussed the Drafting Committee's report; but if a member desired to reply to a personal attack, he would immediately give the floor to the delegation concerned.

38. Mr. TSARAPKIN (Union of Soviet Socialist Republics) wished to stress, in the first place, that, contrary to the special representative's assertion, it was perfectly lawful to express indignation at the fact that the Administration in Ruanda-Urundi was entirely in the hands of Europeans, who were the true masters of the Territory, and that the Administering Authority had done nothing to create organs of self-government composed of indigenous inhabitants. The views expressed by the USSR delegation were fully consonant with the provisions of the Charter, since Article 76 stated that the basic objectives of the Trusteeship System were to promote the development of the inhabitants towards self-government or independence, and the Administering Authority had taken no steps in that direction.

39. Secondly, the special representative had stated that Mr. Tsarapkin had been incorrect in suggesting that the number of medical practitioners had remained unchanged for the last eight years. Yet, those remarks had related to State-employed practitioners — those in government service — who had numbered thirty-six eight years ago and remained at that figure today.

40. Further, the special representative had tried to disprove the USSR delegation's assertion that there was discrimination in the wages payable, respectively, to the indigenous inhabitants, to Asians, and to Europeans. In that connexion, he would refer to the table on page 360 of the report.

41. The PRESIDENT pointed out that the USSR representative had gone beyond answering a personal attack. The USSR representative would have an opportunity of answering the special representative's observations at the proper time. The debate would be declared closed.

42. Mr. TSARAPKIN (Union of Soviet Socialist Republics) said that the President was exceeding his powers in depriving a member of the Council of his absolute right to speak in reply to the special representative, who was not even a member of the Council. He wished his protest against the President's arbitrary decision to be expressly mentioned in the summary record.

43. The PRESIDENT said that the protest would be noted.

Mr. Leroy, special representative of the Administering Authority for the Trust Territory of Ruanda-Urundi, withdrew.

General Assembly resolution 752 (VIII): Attainment by the Trust Territories of the objective of self-government or independence (continued)

[Agenda item 12]

44. Mr. MENON (India) said that the General Assembly had asked the Trusteeship Council to take certain action, and, whatever the difficulties it was the Council's duty to fulfil its obligations to the Assembly. Conflict of opinion was inevitable in regard to problems

arising from the transition to independence of territories that had once been part of colonial empires. On the other hand, however, anxious they might be to defend the right of the peoples of the Trust Territories to independence, the non-administering Powers should never forget that the Trusteeship Agreements had arisen from the voluntary action of former imperial or Mandatory Powers to bring those Territories under trusteeship. It was with those factors in mind that the Indian delegation had tried to find a method which would satisfy the reasonable demand of the Assembly and meet the fundamental purpose which both the Council and the Assembly had in view, namely, the attainment of self-government and independence by the people of the Trust Territories.

45. The Council was primarily concerned with paragraph 3 of the operative part of resolution 752 (VIII). That paragraph contained a specific request to the Council whereas the preceding paragraphs reaffirmed resolution 558 (VI) or were addressed to the Administering Authorities. In paragraph 3, the Assembly had shown the Council a way of doing what it had to do without creating any offence or difficulties. All that the Council had now to consider was the mechanics of a reply to the Assembly. In that connexion, he welcomed the response of the French representative to his suggestions. As the Australian and French representatives had said at the previous meeting, most of the information requested in resolution 752 (VIII) was already included in the annual reports.

46. In the light of those facts, the Indian delegation suggested that the Trusteeship Council should address a memorandum to the Secretariat requesting it to prepare a report for submission to the Council at its next session including the answers to the requests in the various sub-paragraphs of paragraph 3 of the resolution. Such a memorandum would be preferable to a resolution, which might have a restrictive effect. His delegation was willing to offer its views on the drafting of such a memorandum. The drafters of the report should include in it all the material before the Council, as well as such material as was officially within the cognizance of the United Nations and the specialized agencies. It would, in his opinion, be legitimate for the Secretariat to send questions to the Administering Authority to obtain any further information needed for the report. The report should include any relevant material that might assist the General Assembly in arriving at a conclusion on each of the five points set out in paragraph 3 of the resolution.

47. There was nothing in his proposal to which any delegation could object. He had submitted it in order to meet the wishes of the General Assembly and to avoid any disagreement between the General Assembly, the Council and the Administering Authorities, which would inevitably be inimical to the welfare of the inhabitants of the Trust Territories.

48. Mr. DORSINVILLE (Haiti) whole-heartedly supported the Indian delegation's proposal as the only means of avoiding a debate that might accentuate the difficulties with which representatives were all familiar. He supported the proposal the more gladly because, having carefully studied the part his delegation had played in the adoption of resolutions 558 (VI) and 752 (VIII), he had found no statement which his delegation would wish to withdraw. The proposed report would be a step forward. He urged the Administering Authorities to regard it as a constructive measure and to show their co-operation and goodwill by replying to

any additional questions that might be put to them, without considering them as evidence of hostility.

49. The PRESIDENT thought that it would be advisable for the Indian representative to draft a memorandum so that the members of the Council could examine it. He also noted that the proposed report would be incomplete if it did not contain information on the Pacific Trust Territories and the Trust Territory of Somaliland under Italian administration. The report could not be prepared therefore, until the Trusteeship Council's next session.

50. Mr. FORSYTH (Australia) felt that some clarification of the Indian representative's proposal was necessary. In particular, he was not clear whether the proposed memorandum would form part of the report, or would be a separate document. He was not sure of the size of the intended report or whether it would contain conclusions or recommendations to the General Assembly. He also asked for information regarding the supplementary questions which it had been suggested that the Secretariat might ask of the Administering Authorities.

51. The attitude of the Australian delegation to the Indian representative's proposal would depend on the clarification given. As a member of the Trusteeship Council and as the representative of an Administering Authority, he could not take a stand on the proposal without fully understanding its implications. It might perhaps be better to give the matter further thought, and to deal with the matter at the next session of the Council.

The meeting was suspended at 4 p.m. and was resumed at 4.30 p.m.

52. Mr. EGUIZABAL (El Salvador) said that his delegation would be glad to support the Indian representative's proposal, just as it had supported General Assembly resolution 752 (VIII).

53. With reference to a remark made by the French representative at the previous meeting, he wished to state formally that his delegation had never used offensive language regarding any country.

54. He regretted that he could not agree with the United Kingdom, Australian and French representatives on the question of the annual reports. The Council must comply with the wishes of the General Assembly as set out in the resolution under consideration. It was of little importance whether the text to be inserted constituted a section of a chapter or a special chapter in the Council's report to the Assembly.

55. Sir Alan BURNS (United Kingdom) said that in resolution 752 (VIII), the General Assembly had asked the Council to include in its reports a separate section dealing with the implementation of resolution 558 (VI). He took the Indian representative's proposal to mean the equivalent of a direction from the Council to the Secretariat to prepare such a draft section for submission to the Council, which would consider it with the rest of the report. The Secretariat had the necessary information available to it.

56. Mr. PIGNON (France) pointed out to the representative of El Salvador that he had not complained that harsh or offensive words had been used with reference to the Administering Authorities. He had meant merely that the Fourth Committee had been intransigent and had failed to consider the Administering Authorities' point of view.

57. With regard to the question before the Council, he fully agreed with the United Kingdom representative.

58. Mr. RYCKMANS (Belgium) thought that the discussion was pointless. The Secretariat need only extract from its summary of the conditions in the Trust Territory of Ruanda-Urundi (T/L.420), for example, any information relevant to the matters listed in General Assembly resolution 752 (VIII). That was all the Assembly had requested.

59. Mr. SCOTT (New Zealand) felt that it was simply a matter of collating information that in large part had already been presented to the Council by the Administering Authorities in their reports or in supplementary information given by the special representatives. The appropriate time to make a decision upon the matter would be when the Council had completed its examination of conditions in the eleven Trust Territories.

60. Sub-paragraph 2 (a) of General Assembly resolution 558 (VI) invited the Administering Authorities to provide information with respect to the measures taken or contemplated which were intended to lead the Trust Territories to self-government or independence. It was not unfair to say that any measures taken by the Administering Authority in a Trust Territory were directed towards that end. The annual reports already contained the information requested in sub-paragraph 2 (b) of the resolution. In regard to sub-paragraph (c), he had not heard any suggestions in relation to Trust Territories other than Togoland under British administration that the Trusteeship Agreements were inadequate. In that connexion, the United Kingdom representative had informed the Council that his Government was studying the Trusteeship Agreement for that Territory in the light of the new constitutional provisions that were being formulated for the Gold Coast and Trust Territory. Information on the subject of sub-paragraph (d) was being continually given by the Administering Authorities.

61. With regard to sub-paragraph (e), which was probably the crux of the resolution, the New Zealand delegation, and those of other Administering Authorities, had already pointed out that it was unnecessary, and in some cases even impossible, to estimate the period of time within which a Trust Territory should attain independence or self-government. It was the inclusion of that particular clause which had obliged his delegation to vote against the resolution. At an earlier meeting the representative of India had made appreciative references to the steps that had been taken by the New Zealand Government in relation to the future constitutional development of Western Samoa. There was no doubt that, when the annual report on the Territory of Western Samoa was discussed at the next session of the Trusteeship Council, representatives on the Council would have at their disposal the most up-to-date information available. There was no question of the Administering Authorities ignoring those General Assembly resolutions. As far as they were able to provide information, that information was being provided.

62. The Secretariat had in its possession sufficient observations from representatives on the Council to proceed with the drawing up of such a special chapter.

63. Mr. SEARS (United States of America) said that the recent history of Puerto Rico showed that the time it would take the United States territories to become self-governing would depend largely on the desires of the inhabitants themselves.

64. He supported the position that the United Kingdom had taken.

65. Mr. S. S. LIU (China) said that, as a subsidiary organ, the Trusteeship Council was obliged to comply with the recommendations of the General Assembly. The General Assembly had specifically requested that the Council should include a special section in its report dealing with certain particular points; the Council would follow the same procedure as on previous occasions when similar recommendations had been made to it. In any event the Council had considered conditions in only six Trust Territories. As all the material needed for the writing of the special section was not yet available to the Secretariat, the matter would have to be deferred to the next session of the Council.

66. Mr. ASHA (Syria) agreed with the representative of China that a special section should be provided but did not think it necessary to complete a study of all the eleven Territories before complying with the General Assembly resolution. He could see no conflict between the proposal of the representative of India and that of the Chinese delegation. He therefore fully supported the Indian proposal.

67. Mr. TSARAPKIN (Union of Soviet Socialist Republics) pointed out that the General Assembly was asking the Council to devote a special section in future reports to the implementation of resolution 558 (VI). In other words, the Council was to make a periodic report to the General Assembly on the measures which the Administering Authorities were taking to ensure the progress of the Trust Territories towards self-government or independence. That did not mean that information on all the Territories must be submitted at one time. He therefore thought the Indian proposal worthy of adoption by the Council.

68. Mr. RYCKMANS (Belgium) pointed out to the USSR representative that the Trusteeship Council did not submit a report to the General Assembly on each of its sessions. It submitted one report to each session of the General Assembly.

69. Mr. MENON (India) explained that he had used the word "memorandum" in a very broad sense and that it was the spirit of his proposal that mattered. The Secretariat should immediately be given an idea of the draft which it would be required to submit to the Council for inclusion in the Council's report. When that text was discussed, it would always be in order for the various delegations to submit amendments.

70. The observations made by the representatives of Belgium and Australia were most unhelpful. The General Assembly had requested the Council to include in its reports a special section dealing with the implementation of resolution 558 (VI). The Council must comply with the wishes of the Assembly, whether the document submitted was very brief or a whole volume. The information at present available from annual reports or other sources consisted of material that was already at least two years out of date and the General Assembly ought to have more recent information.

71. Before compiling the draft, the Secretariat should have at its disposal all the relevant information and, particularly, all the material relating to the Territories collected by the specialized agencies such as the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization or the World Health Organization. Furthermore, the Secretariat should make every effort to obtain any additional material which it might deem necessary. That question had aroused concern in the mind of the representative of Australia. The Administering Authorities might

well ask what sort of inquiry would be carried out. The word "questionnaire" had also given rise to some misgivings. What was meant was not a questionnaire in the proper sense of the word, but a method of obtaining additional information within the framework of the General Assembly resolution, with a view to complying with it to the greatest possible extent. There was no question of using methods that were not within the competence of the Trusteeship Council and the Secretariat, in relation to the Administering Authorities. It was simply a matter of bringing information up to date.

72. From the practical point of view, it was desirable that the Secretariat should draw up a working paper in the light of the comments which had been made during the discussion and submit it at an early meeting of the Council. The Indian delegation was ready to give assistance and if the President felt that the Secretariat could not draw up such a paper, it was prepared to submit it itself. He also intended to move at the appropriate stage that the item should remain on the agenda for the next session of the Council. As the Syrian representative had pointed out, there was nothing to prevent the work from being undertaken immediately. In fact if it was deferred until the Council's next session, there would be too much to do in too short a time.

73. There was no doubt that decisions of the General Assembly had to be respected. It would be very wrong to give the Fourth Committee the impression that the Council disregarded its requests. The Assembly must be provided with a document drawn up by the Secretariat with its usual objectivity and containing any observations the members of the Council might wish to contribute. If there were still unresolved differences, the document would present the two points of view to the General Assembly.

74. Mr. RYCKMANS (Belgium) said that the Secretariat had always given objective summaries of conditions in the various Territories on the basis of the reports submitted by the Administering Authorities, the observations of the specialized agencies concerned, and certain petitions. The summaries also included observations made by delegations. The whole report was then submitted to the General Assembly in the Trusteeship Council's report.

75. The Secretary-General should therefore be invited to draft, for the opening of the next session, a summary, in accordance with resolution 752 (VIII), on each of the Territories already considered, drawing on the official documents available to the Secretariat.

76. Mr. PIGNON (France) said that to avoid further difficulties it would be wise to decide that in compiling the special section to be included in the Council's report in accordance with resolution 752 (VIII), the Secretariat should use only official documents, considered and examined by the Trusteeship Council.

77. Sir Alan BURNS (United Kingdom) said that the Council should simply request the Secretariat, as it had done on previous occasions, to prepare another section, in accordance with paragraph 3 of resolution 752 (VIII), for inclusion in the report to the General Assembly.

78. Mr. ASHA (Syria) said that since there might be gaps in the documents from which the report would be prepared, there should be some way of obtaining up-to-date information.

79. The PRESIDENT observed that the proposal was that, having considered resolution 752 (VIII) and in particular paragraph 3 of that resolution, the Council

should instruct the Secretariat to prepare a section of its report dealing with the matters enumerated in paragraph 3 and that that section should be submitted for the Council's consideration at the first meeting of its fourteenth session.

80. Mr. MENON (India) said that the Trusteeship Council should make an effort to meet the wishes of the General Assembly in so far as the Council's report to the Assembly was concerned. It was possible that, in preparing the report, the Secretariat might consider it appropriate to include additional information drawn, for example, from statistics at its disposal. In that case the information would be considered by the Trusteeship Council before the report was submitted to the Assembly. All reports submitted by the Council to the Assembly were first passed by the Council.

81. Mr. HOO (Assistant Secretary-General in charge of the Department of Trusteeship and Information from Non-Self-Governing Territories) said that the Secretariat would follow the Trusteeship Council's instructions. He pointed out that the Secretariat had however been instructed by the Secretary-General to avoid the duplication of documents.

82. Mr. MENON (India), on a point of order, said that the Secretariat should not introduce its administrative regulation into a substantive discussion.

83. The PRESIDENT said that it was proper for the Assistant Secretary-General to raise the question because the question of excessive documentation had been dealt with by the General Assembly.

84. Mr. HOO (Assistant Secretary-General) explained that the Secretariat must know exactly what it was expected to do. He was not clear whether the Council wanted the Secretariat to prepare replies only to questions (a) to (e) in paragraph 3 of resolution 752 (VIII) or to prepare a section dealing with the implementation of resolution 558 (VI), which would be much wider in scope.

85. The second question concerned the sources the Secretariat could use in drafting its report.

86. Finally, he asked whether the Secretariat would be entitled to ask questions of Council members if insufficient information was available in the documents used to prepare the report.

87. It was desirable that the Secretariat should be given written instructions on those three points.

88. Mr. SCOTT (New Zealand) pointed out that resolution 558 (VI) invited the Administering Authorities to provide information on five particular points and that resolution 752 (VIII) requested the Trusteeship Council to include in its report a separate section dealing with the implementation of the earlier resolution. His reading of the resolution would be that the separate section of the report should concern itself with information furnished by the Administering Authorities. That did not necessarily rule out information which might be furnished by the specialized agencies, particularly UNESCO.

89. Mr. RYCKMANS (Belgium), referring to the questions raised by the Assistant Secretary-General, pointed out, first, that as resolution 558 (VI) requested governments to provide certain information and resolution 752 (VIII) requested the Trusteeship Council to report on the way in which resolution 558 (VI) had been implemented, it was sufficient for the Secretary-General to make a summary of the information supplied by the Administering Authorities concerning the implementation of resolution 558 (VI).

90. Secondly, in preparing the special section of the report, the Secretariat would use the same sources of information as had been used for the other chapters, since the General Assembly had not given any instructions on the subject.

91. Thirdly, there was no need for the Secretary-General to ask questions of governments, because the Assembly had already done that in resolutions 558 (VI) and 752 (VIII). The Secretariat would draw the Council's attention to the replies made by governments or, where necessary, inform the Council that no reply had been received.

92. In any event, those members of the Council who were not satisfied with the report could submit a memorandum or note on the matter.

93. Mr. PIGNON (France) felt that, in preparing the report in question, the Secretariat should use the sources ordinarily employed for the preparation of the working documents relating to each Territory. He did not, however, think that use should be made of documents which Council members had not had sufficient time to study.

94. He could not, without consulting his Government, agree to further questions being asked of the Administering Authorities. The French delegation would in any case be at the Secretariat's disposal for the purpose of providing further information.

95. The PRESIDENT said that only one proposal was before the Council, namely that of the Belgian representative.

96. Mr. MENON (India) said that the debate had arisen from observations made by the Indian delegation in the hope of avoiding a hard and fast resolution. In any event, it had to be decided whether the special section which the Trusteeship Council was to submit in its report to the General Assembly should answer all the questions asked by the Assembly. He proposed that the Secretariat should use all the documents and reports supplied by the Administering Authorities and all material in the hands of the specialized agencies. The Secretariat could request any necessary clarifications from the Administering Authorities, and the Trusteeship Council would add its own observations.

97. He requested that if it was the President's desire for a draft resolution to be submitted on the proposal, the matter should be deferred until the next meeting.

98. The PRESIDENT said that if the Indian representative wished to make a proposal, it would, of course, be considered.

99. As the representative of Belgium and the representative of India each had specific proposals, he requested them to submit the proposals in writing at the next meeting.

100. Mr. MENON (India) explained that the proposal which he intended to make should be regarded as an addendum or an explanation of the Belgian representative's proposal.

101. The PRESIDENT requested that the two proposals in question should be lodged in writing with the Secretariat the following day.

102. Mr. MENON (India) said that he would be able to comply with that request.

103. Mr. RYCKMANS (Belgium) said that he would not insist on a vote on his proposal.

104. Mr. TSARAPKIN (Union of Soviet Socialist Republics) said that in the course of the meeting he had not been given an opportunity by the President to make a complete reply to the remarks addressed to him

by the special representative for Ruanda-Urundi. Since, however, the President could interrupt a speaker subject only to the rules of procedure, the Soviet representative wished to know under what rule of procedure he had been denied the right of reply.

105. The PRESIDENT explained that the right to reply to a special representative had been variously interpreted in the past. In his view it was preferable to wait until the discussion of the Drafting Committee's report. Any member of the Council could appeal from any ruling of the President and that appeal would be put to the vote without discussion.

106. Mr. TSARAPKIN (Union of Soviet Socialist Republics) said that a Drafting Committee had been

appointed and that when it examined the record of the meeting it would find there remarks made by the Administering Authority and directed against a member of the Council. As, however, that member had been unable to avail himself of his right of reply, the Drafting Committee would submit an incomplete report, thus placing the member of the Council at a disadvantage.

107. The PRESIDENT said that he could not accept the final remarks of the representative of the Soviet Union. The latter was at liberty to challenge the President's decisions.

The meeting rose at 6 p.m.