

# TRUSTEESHIP COUNCIL

## OFFICIAL RECORDS



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**President: Mr. HENRIQUEZ UREÑA (Dominican Republic).**

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

**Examination of the annual report on the administration of the Trust Territory of the Pacific Islands for the year ending 30 June 1949 (T/470) (*continued*)**

*At the invitation of the President, Rear Admiral Fiske, special representative of the Administering Authority for the Trust Territory of the Pacific Islands, took his place at the Council table.*

1. Rear Admiral FISKE (Special representative for the Pacific Islands) replied to a question put at the 12th meeting by the representative of the Philippines on the reported failure of an attempt to establish a unified political structure above the local level on the atoll of Truk.

2. The situation of Truk was unique. The atoll was about 30 miles in diameter and enclosed a lagoon of some 800 square miles. In addition to a number of low islands of the kind found along the reef of a typical atoll, there were six large and several small high islands within the lagoon. The population was approximately 10,000, which was more than the total population of the Saipan District, roughly equal to that of the Ponape District, and only slightly less than that of the Palau or Marshall Islands Districts. The people lived in traditionally independent communities, divided at present into fifteen municipalities, or more than the total number of municipalities in either the Saipan or Ponape Districts.

3. In attempting to establish an atoll-wide government of Truk, the Administering Authority had been confronted with a situation for which no precedent existed in the experience of the indigenous inhabitants. The atoll officials had tended to take control of matters formerly dealt with locally by village chiefs and, in endeavouring to secure prompt action, had at times tended to confuse their own wishes with the orders of the Administering Authority. In a few instances, they had so misinterpreted or misapplied United States directives as to nullify the effect desired. While specific abuses had been corrected, it had seemed impossible for either the people or the atoll officials to

grasp the fact that certain matters could be decided locally and only matters of common concern should be handled at the atoll-government level. The net result had been to give the people a less effective voice in local affairs and to create a general atmosphere of confusion. After study, it had been deemed best to clarify the situation by abolishing the atoll government and concentrating for the time being on the development of community government through the several municipalities.

4. One of the greatest sources of difficulty had been the position of the atoll chief. It was now the custom for officials of the various atoll municipalities to meet informally from time to time to discuss common problems and civil administration policies. The meetings consisted of two parts, one held jointly with the civil administration officers and one held by the indigenous officials alone. That arrangement appeared to be working very well. It was hoped that the informal meetings might soon be expanded into a district-wide legislative advisory body, without any attempt being made at present to re-establish an indigenous executive branch of the government.

5. The PRESIDENT asked for general observations on the report<sup>1</sup> under review.

6. Mr. INGLES (Philippines) expressed appreciation of the Administering Authority's report and the services of the special representative. The substantial progress achieved during the year under review had fulfilled the expectations expressed by the Philippine delegation when the first annual report submitted by the United States on the administration of the Trust Territory had been examined.<sup>2</sup>

7. In the political field, he welcomed the declaration of the special representative (12th meeting) that steps were being taken to transfer administrative responsibility for the Territory from a military to a civilian

<sup>1</sup> See *Report on the Administration of the Trust Territory of the Pacific Islands for the period July 1, 1948 to June 30, 1949, transmitted by the United States to the Secretary-General of the United Nations pursuant to Article 88 of the United Nations Charter*, prepared by the Navy Department, Washington, D. C., July 1949 (Op Nav-P22-100H).

<sup>2</sup> See *Official Records of the Trusteeship Council*, fifth session, page 237.

agency on 1 July 1951. He also noted that a field headquarters had been established on Truk in an attempt to comply with the Council's recommendation that the possibility of transferring the seat of government from Guam to a site within the Territory itself should be considered.<sup>3</sup> It was to be hoped that the transfer of responsibility to a civilian agency would facilitate the implementation of that recommendation.

8. While it was realized that under existing United States constitutional procedures the Executive Department could only recommend to Congress the enactment of an organic act for the Pacific Islands, the early adoption of the proposed act was desirable, as it would have an important effect upon the Territory and would define the legal status of its inhabitants.

9. Mr. Inglés also hoped that the Administering Authority's study of the international treaties, conventions and agreements that might profitably be applied to the Trust Territory would soon be successfully concluded.

10. The consultations between the High Council of Saipan and the staff of the Deputy High Commissioner on the establishment of a regional legislature for the Northern Marianas was a valuable step and was in conformity with the Council's recommendation that efforts to develop regional governmental organs on a representative and legislative basis should be intensified.<sup>3</sup> The Council had considered that it might be advisable, in the initial stages, to give those regional governmental bodies only advisory functions. The Philippine delegation believed, however, that the inhabitants of the Northern Marianas would be more capable of coping with the complexities of regional organs than some of their neighbours and that they were therefore entitled to have a regional body with real legislative powers, however limited at the outset. While particulars might be forthcoming from the Administering Authority on the reasons for the reported failure to establish a unified political structure above the local level in the Truk District in the Eastern Carolines, Mr. Inglés would welcome a repetition of the experiment with regional organizations which in no way affected the individual responsibilities and rights of the various municipalities.

11. It was gratifying to note the progress achieved in the establishment of the Palau and Marshall Islands Congresses and the development of such regional and municipal councils as the Island Council on Ponape and the Young Men's Council in the Yap Islands.

12. It must be stressed that skill in self-government could be acquired only through the actual exercise of the functions and responsibilities of government. In that connexion, the participation of the indigenous population in the general administration should not be overlooked.

13. The Council should commend the Administering Authority for the Territory's progressive political development; should recommend more rapid democratization of the municipal organization, so that eventually all municipal magistrates might be selected on an elective rather than on an appointive or hereditary basis;

and should request the Administering Authority to press forward its long-range plans for the establishment of a Territory-wide legislative body.

14. With regard to economic development, it was hoped that the Administering Authority would give consideration to the Philippine delegation's recommendation that concrete and long-range plans should be worked out.<sup>4</sup> Mr. Inglés noted with satisfaction that steps had been taken to explore the Territory's resources with a view to supplementing the income derived from the copra industry, and that the potentialities of the shark-fishing industry were also being investigated. In the absence of applications from external companies, the local inhabitants might be trained to exploit the possibilities of the tuna-fishing industry. Since transport played such an important part in economic as well as political development, the assistance rendered in that respect by the Administering Authority was commendable.

15. The Administering Authority had stated that, without further study, it would not be able to comply with the recommendation of several delegations that the head tax should be abolished.<sup>4</sup> It was encouraging to note, however, the assurances given by the United States that the tax might not be imposed upon submission of proof of inability to pay and that non-payment would no longer be considered a penal offence. It was also gratifying that, in accordance with the Council's recommendation that the Administering Authority should review its tax system with a view to increasing local revenues, a 15 per cent processing tax had been imposed on the output of the Angaur phosphate mines for export to Japan.

16. Notable progress had been made in the social field, particularly in public health. The statistical data resulting from the activities of the floating laboratory clinic, the USS *Whidbey*, would be of great value to the Administering Authority and the Trusteeship Council. Mr. Inglés drew attention to his own Government's interest in the initiation of a cost-of-living survey of the Pacific Islands.

17. With regard to educational development, the Administering Authority was to be commended for the universal public school attendance and the increased allotment for education, which had risen from 13 per cent of the total expenditure in 1948 to 24.3 per cent in 1949. The Council should, however, recommend that the Administration consider the possibility of establishing secondary schools within the Trust Territory itself. The schools at present training such personnel as medical assistants, nurses and laboratory assistants could perhaps be expanded to include secondary courses, or secondary education could be given in conjunction with industrial, secretarial or commercial training. It must nevertheless be remembered that the ultimate objective of secondary education should be the preparation of students for professional or university training.

18. Mr. FLETCHER-COOKE (United Kingdom) said that the Council should commend the Administering Authority for its record in the Pacific

<sup>3</sup> See document S/1358, chapter III, part II.

<sup>4</sup> See document S/1358, chapter III, part III.

Islands, as disclosed in the annual report and the supplementary information given by the special representative. The United Kingdom delegation was particularly impressed with the work undertaken by the United States in the medical and educational fields and in the progressive development of municipal government.

19. He was confident that the Administering Authority would do everything possible to ensure that the Territory's dependence on funds from outside sources should not be allowed to reach such proportions as to render more difficult the long-term progress of the Territory towards economic autonomy. He paid tribute to the generosity of the United States Government in making funds available for the economic development of the Territory, but he felt that whatever outside funds might be available in the future should be devoted to economic development schemes. It should be the aim of policy that all the ordinary expenses of the central administrative machine should be met from local revenues. The Administering Authority should therefore bear in mind the advisability of making the central administration as financially self-supporting as possible, thus reducing its dependence on grants from outside for the ordinary expenses of administration. The special representative had indicated that the Administering Authority would consider all possible ways of increasing local revenue, and it was suggested that the possibility of import duties should also be studied.

20. The Copra Price Stabilization Fund deserved very particular attention, and the results of the Administering Authority's study of the subject would be awaited with interest.

21. Mr. Fletcher-Cooke expressed his delegation's gratitude to the special representative for the very full and interesting information given to the Council. He also reiterated a request made at the fifth session that subsequent reports on the Trust Territory of the Pacific Islands should be printed in slightly larger type.

22. Mr. LAURENTIE (France) congratulated the United States on its administration of the Pacific Islands and its compliance with previous recommendations of the Trusteeship Council.

23. It was unfortunate that, in addition to the valuable information furnished by the special representative and the annual report, the Council could not have had the benefit of the findings of the United Nations Visiting Mission to Trust Territories in the Pacific. He drew attention once again to the contradiction involved in examining a report before a visiting mission had returned from the Territory in question.

24. From the political point of view, the character of the Pacific Islands was rather unique: they were spread out over an immense surface; there was no real unity; geographically speaking, the Territory was exceptionally exposed. All of those features must be taken into account in considering the political advancement of the Pacific Islands. As the Administering Authority had realized, progress must be made, not

through artificial, centralized bodies, but through municipal and regional organization. A constitution for the whole of the Trust Territory would not at present be practicable or useful; what was needed was the protection and guidance of the United States Government.

25. The Trusteeship Council was concerned with the composition and instructions of the various administrative bodies in the Territory rather than with what particular Department of the United States Government was to be charged with the administration. In that connexion, it might be well for the Council to recommend to the Administering Authority that, without of course losing a sense of proportion, officials should become specialized in the problems of the islands.

26. The report seemed to indicate that the Territory's economy was of a somewhat classically colonial type: raw materials were exchanged for products manufactured in the United States. That simple colonial economy had, however, been modified to a great extent by subsidies granted by the United States Government. In that connexion, Mr. Laurentie could not entirely agree with the United Kingdom representative that those subsidies might impede the Territory's economic progress. It would be difficult at present to envisage any other sort of economy for the Pacific Islands.

27. The Council must face the fact that the Territory's economy was based on direct United States subsidies and that, without those subsidies, it would probably revert to a primitive state. The long-term or short-term results anticipated by the Administering Authority from the present system were not, however, immediately obvious, and precise information in that respect would be very useful. While it would appear that some progress could be achieved, it would not seem, in view of the distances involved and the very small size of some of the islands making up the Territory, that there could be sufficient development to ensure any substantial change in the standard of living. Mr. Laurentie pointed out that he was merely requesting the Administering Authority's opinion on the matter and not in any way criticizing its present policy.

28. In conclusion, he expressed his appreciation of the co-operation extended to the Council by Rear Admiral Fiske.

29. Mr. RYCKMANS (Belgium) drew attention to the notable progress achieved by the United States Government in its administration of the Pacific Islands.

30. The political principles expressed in the report deserved the Council's whole-hearted approval. He pointed out, nevertheless, that there was not sufficient information given on Native courts. The report stated that Native courts might impose penalties for violations of local customs, but nothing was said about the control exercised over those courts and the right of appeal against their decisions, both of which seemed to be indispensable.

31. In that connexion, the report indicated that the Administering Authority did not interfere in the collection of tributes by Native chiefs; that had been confirmed by the special representative in reply to

a question put by the Belgian delegation at the 12th meeting. In principle, there was no objection to the procedure, but it was essential that the Administering Authority should be informed of the amount of the tributes received and should control their collection, so that Native chiefs might not be allowed to abuse the custom.

32. In the economic field, the Administration was to be congratulated on the establishment of an experimental station in Saipan and the importation into the Territory of an improved breed of cattle.

33. There could be no objection to the principle of control over economic activities, but such control should have a more solid legal basis than the mere judgment of an official as to whether certain economic activities might hinder the future development of similar activities among the indigenous populations.

34. With regard to public finance, the Administration had made an even more generous financial contribution to the Territory than might be indicated in the documents before the Council. Since \$440,000 of the \$605,000 listed in the report as local revenue actually consisted of extraordinary returns brought forward from the previous year or resulting from sales of alien property, it was more accurate to say that the local revenue was about \$165,000, as compared with a total expenditure of \$1,400,000. The difference had been made up by grants from the Administering Authority. Mr. Ryckmans agreed with the representative of France that it was improbable that the population of a Trust Territory dispersed over so wide an area could ever achieve an adequate standard of living through its own resources, and that the Administering Authority would have to continue to grant large subsidies to the Pacific Islands. Nevertheless, the Council should receive more detailed financial information, particularly on the distribution of expenditures made from local funds and from metropolitan subsidies. The Administering Authority might consent, for instance, to provide funds for the construction of hospitals, but the funds for maintenance, salaries and drugs could well be drawn from local revenue.

35. The special representative had agreed to furnish in a subsequent report certain information on the copra industry requested by the Belgian delegation at the 12th meeting. Mr. Ryckmans also suggested that the statistical tables should include figures not only on the total value of exports but also on the quantities exported.

36. With regard to the social field, he understood that the Administration decided in each case whether or not authorization for recruitment of labour should be granted, taking particularly into account whether housing could be provided. Although that procedure might not give rise to abuse, it would be preferable to remove its somewhat arbitrary character by adopting a legal text setting forth the conditions for recruitment.

37. It appeared that it was not the custom in the Pacific Islands to recruit entire families. The system had been advantageously used in other Trust Territories and should be examined by the Administering Authority.

38. He agreed with the Philippine representative that the Administering Authority should be commended for the remarkable success achieved in the campaign against yaws and in the development of medical services, particularly through the activities of the naval ship, USS *Whidbey*.

39. In the educational field, it was gratifying to note that the Pacific Islands Teacher Training School had been transferred from Guam to Truk. Sixteen per cent of the total population attended school, which seemed to indicate that almost all of the children were receiving a proper education. It was also greatly to the credit of the Administering Authority that there was an excellent balance between the school attendance of girls and boys; other Administering Authorities had had difficulty in convincing the indigenous inhabitants that girls should be sent to school.

40. Mr. Ryckmans wished to associate himself with the appreciation expressed by other delegations of the services of the special representative.

41. Mr. LIU (China) observed that the Administering Authority should be commended for the general progress it had achieved during the year. The magnanimous and unselfish manner in which the Administering Authority had sought to carry out its trust was shown by the annual expenditure of some \$7 million on the Trust Territory by the United States Government whereas the total local revenue was only \$300,000. Few Governments, if any, could lay claim to a similar record.

42. In the field of political advancement, his delegation was gratified to learn that the proposed organic act had formed the subject of renewed study and would be ready for resubmission to the United States Congress during its present session. It was hoped that the legislation would soon be enacted. The Administering Authority deserved commendation for the improvement in the administration of justice and the progress in the development of local self-government. The measures taken to establish representative legislative advisory bodies for the Marshall Islands were distinct steps forward in political advancement.

43. While it was gratifying to learn of the establishment of a field headquarters in Truk, it was disappointing to note that the Administering Authority had not yet seen its way to carry out its own intention of establishing the government on a site within the Territory itself. For the sake of closer contact between the Administering Authority and the inhabitants, the Trusteeship Council might wish to urge the advisability of consideration being given to the original plan of placing the seat of the government within the Territory itself.

44. His delegation was pleased to note that the important matter of the application of international treaties, conventions and agreements to the Trust Territory was being studied by the Administering Authority, and it was hoped that the results of that study might soon be known.

45. His delegation had been impressed by the efforts of the Administering Authority to diversify economic

activities and to promote the interests of the indigenous population. It was believed that the economic development fund of \$100,000 created by the Island Trading Company in March 1950 was of tremendous benefit to the indigenous *entrepreneurs*. That fund would serve a useful purpose and reach a wider circle of beneficiaries if the amount were increased periodically, as no doubt it would be. The new arrangements for the mining of phosphate in Angaur were a considerable improvement over the original arrangements.

46. Mr. Liu shared the view of the representative of the Philippines with regard to the head tax, and, while noting the reasoning of the Administering Authority, hoped that it would continue to bear in mind the fundamental shortcomings of the tax.

47. The increase of dispensaries, the diminution and gradual disappearance of yaws and the creation of a medical survey were salutary achievements. It was regrettable that up to date no legislation had been adopted and no study made in the field of social welfare. The initiative in those respects had been left to the local families and clans. With the gradually changing conditions of the indigenous population under Western influence, such problems of social welfare and security as old age pensions, maternity benefits and unemployment insurance would have to be solved, and it might therefore be desirable for the Council to urge the Administering Authority to consider such problems in the near future.

48. The Administering Authority was to be congratulated on the almost full attendance in the elementary schools, on the measures which had been taken to develop secondary schools and, in particular, on the increase of the teaching staff and the broadening of the curriculum at the Pacific Islands Teacher Training School at Truk. His delegation was reassured by the reply of the special representative that information on the percentage of illiteracy might be expected in the succeeding annual reports.

49. Miss BERNARDINO (Dominican Republic) briefly reviewed the history of the Pacific Islands. Under the Japanese Mandate the Territory had been segregated from the rest of the world until the Second World War, when the islands had become the scene of large-scale military operations. In 1947 the administration of the islands had been entrusted to the United States of America.

50. It was clear that in the three years which had elapsed since 1947 the Administering Authority had laid the basis of a new organization compatible with the aims of the Charter, though the government was exercised from outside the Territory. Under the new administration, the indigenous population had retained the right to organize, wherever possible, the local and municipal governing bodies; there was, however, need for a methodical plan for political progress. There was no doubt that time would bring out the individuality not only of the Territory itself but of the men and women who would assume the political and legal status essential to the achievement of the final objective, which was independence and self-government. In considering the status of the inhabitants, particular attention should

be paid to the question of nationality, since there was a basic difference in law between nationality and citizenship. A progressive plan for the political advancement of the Territory should not be too difficult of achievement, since the population was not large and could therefore be educated in democratic practices without too much difficulty.

51. The educational problems of the Territory were of equal, if not greater, importance than the political and social ones, and it was encouraging to note the statement of the special representative that 90 per cent of the children were attending schools. Her delegation had noted that no newspaper was published in the Territory and that the distribution of news was not widespread. Nor were there any libraries other than those in the schools. It would consequently appear that the Administering Authority still had much to do.

52. It was a matter of much satisfaction to the delegation of the Dominican Republic that the Administering Authority was keenly interested in the health of the population, though the number of islands and the distances between the populated areas made that a difficult problem. It was also gratifying to see that the Administering Authority had taken steps to obtain vital statistics and hold periodical censuses.

53. Miss Bernardino also noted with satisfaction that the Administration had spent some time in encouraging the women of the Territory to recognize their rights and to take an interest in the problems of the Territory. Voting laws did not differentiate between the rights of men and women, but the legal existence of such rights was not enough; the important thing was that they should be exercised or that there should be opportunities for exercising them. That was true of all the other aspects of human rights or the rights of the individual.

54. The report stated on page 46 that the policy of the Administering Authority had been to permit missionaries and missionary institutions to function with the minimum of interference. She would like to know what that minimum was. Some information on the subject should be of special interest to the Council, in view of the fact that the Christian churches had converted 90 per cent of the population.

55. Apart from those considerations, the report seemed to be a document in which the Council could find appropriate material for a series of recommendations, thus co-operating with the manifest goodwill of the Administering Authority.

56. Mr. STIRLING (Australia) said his delegation had been particularly impressed and pleased by the rapid progress that had been made in the sphere of health, especially the striking decrease from 90 per cent to practically zero in the figures for active yaws. It was gratifying to learn that the remarkable medical survey conducted by the USS *Whidbey* had indicated that the incidence of tuberculosis was not so great as had been feared. Australia was very concerned with the menace of tuberculosis in its territory, and was taking active steps to combat it with every new method. The *Whidbey* survey was of the greatest interest and promise.

57. The experiments and developments in municipal government would be studied with great interest by his Government. Other noteworthy points were the work of the full-time anthropologists and the development in the field of higher education.

58. Mr. LAKING (New Zealand) joined with the other delegations in congratulating the Administering Authority on its splendid record of achievement. His delegation felt that the progress made was all the more notable in view of the geography of the islands, which were widely scattered, and of the relatively short time they had been under the administration of the United States.

59. The New Zealand delegation was glad to note that the building up of local institutions was proceeding satisfactorily and that in Yap, which was inhabited by a very conservative people, the young men were taking a very great interest in the management of their own affairs through the establishment of a Young Men's Council which worked in collaboration with the Council of Chiefs. His delegation hoped that the Administering Authority would encourage that tendency and also do its utmost to ensure that the women of the islands took an increasing part in the discussion of island affairs and played their rightful role in the management of those affairs. It was satisfactory to note that two women had already been elected to the Palau Congress. His delegation appreciated that the establishment of a Territory-wide legislature would be a long and difficult task, and noted that the Staff Legislative Advisory Committee which had been organized was to form the nucleus of an independent territorial legislature.

60. His delegation was gratified to note that a copra stabilization fund, similar to that recently set up in Western Samoa, had been established in the Trust Territory. It also noted with appreciation the steps which had been taken to foster indigenous commercial fishing. It was to be hoped that the Administering Authority would continue to encourage, by all means at its disposal, the development of such enterprises.

61. The New Zealand delegation had taken a particular interest in the advantages which the Administering Authority had seen in the abolition of import duties on goods entering the Territory, which had taken place in the year under review, but it urged the Administering Authority to give full weight to the views expressed on that matter at the 12th meeting by several delegations, particularly the representatives of the United Kingdom, Belgium and the Philippines, and to keep the question continuously under review.

62. In the field of health, the remarks his delegation had intended to make had, in the main, been covered by other delegations, but it was particularly interested in the record of achievement in the treatment of yaws and in the fact that a medical survey ship had been equipped as a floating clinic. He hoped the Administering Authority would be successful in convincing the inhabitants of the Trust Territory of the soundness of the principle contained in the statement on page 38

of the documentary supplement to the report, to the effect that psychiatrists and psychoanalysts always charged to the limit of the patient's resources to make him feel that he must co-operate fully in the treatments to realize full value on his investment.

63. While according to the report, the institution of the medical fee system was in no circumstances to be allowed to deflect the Administering Authority from achieving the purposes of the medical programme, it was hoped that a close watch would be kept so that every inhabitant who needed medical attention would be able to obtain it and would not hesitate to present himself for treatment.

64. The figures given by the special representative on school enrolment and attendance were most impressive; that there were more than 90 per cent of the children of school age enrolled, with approximately 100 per cent attendance, was a remarkable achievement. It was noted that any extended use of the radio as a medium for mass adult education was impracticable at the present time, but his delegation hoped the Administering Authority would keep in mind the possibility of a greater use of that medium.

65. His delegation had had some difficulty with the report, not because all the requisite information had not been included, but because of its rigid adherence to the questions contained in the Provisional Questionnaire. The result had been that information on a particular problem could not always be found in one part of the report. It was to be hoped the Administering Authority would consider the advisability of a revision of the method of presentation.

66. In reply to a question by the PRESIDENT, Mr. SAYRE (United States of America) said that the United States delegation wished to give the suggestions the consideration they deserved and would prefer to reply at the following meeting of the Council.

### Examination of petitions

#### FIRST REPORT OF THE *Ad Hoc* COMMITTEE ON PETITIONS (T/L. 88).

67. Mr. AQUINO (Philippines), Chairman of the *Ad Hoc* Committee on Petitions, explained that the Committee had considered the application of Mr. J. E. A. Togney (T/Pet. 5179) for an oral hearing of his petition concerning the Cameroons under French Administration. It was the consensus of opinion in the Committee that Mr. Togney was in no position to speak for the group he purported to represent, that the examination of the written petition did not in any way warrant an oral presentation by him, and that an oral presentation could very well be dispensed with without impairing the substance of the petition. The Committee recommended that the application for an oral presentation should be refused.

*The report was adopted unanimously.*

*The meeting rose at 3.55 p.m.*