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TRUSTEESHIP COUNCIL

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CONTENTS

Expression of good wishes on the occasion of the Belgian national holiday	239
General Assembly resolutions 752 (VIII) and 858 (IX) and Trusteeship Council resolution 1085 (XV): Attainment by the Trust Territories of the objective of self-government or independence (T/L.500, T/L.579 and Add.1, T/L.591, T/L.609, T/L.617) (concluded)	239
Examination of the annual report of the Administering Authority on the administration of the Trust Territory of Somaliland under Italian administration for the year 1954 (T/1174, T/1176, T/1177, T/1188, T/1189) (continued)	
Examination of petitions circulated under rule 85, paragraph 2, of the rules of procedure of the Trusteeship Council (T/COM.11/L.128, T/PET.11/L.13 to 17) (concluded)	
Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Somaliland under Italian administration (T/1143 and Corr.1) (con- cluded)	
Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration covering the period from 1 April 1954 to 31 March 1955 (T/1172) (concluded)	
General Assembly resolution 855 (IX): Financing of the economic development plans of the Trust Territory of Somaliland under Italian administration (T/1186) (concluded)	
Report of the Drafting Committee (T/L.587, T/L.610, T/L.611)	242
Draft resolution submitted by Syria concerning the Trust Territory of Somaliland under Italian administration and Ethiopia (T/L.593/Rev.2)	243
Draft resolution submitted by India and Syria on the financing of the economic development plans of the Trust Territory of Somaliland (T/L.608/Rev.1)	243
Draft resolution submitted by Haiti on the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on the Trust Territory of Somaliland under Italian administration (T/L.594)	244

President: Mr. Mason SEARS (United States of America).

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: International Labour Organisation; Food and Agriculture Organization.

Expression of good wishes on the occasion of the Belgian national holiday

1. The PRESIDENT extended the Council's greetings to the Belgian delegation on the occasion of the 124th anniversary of Belgian independence.

- 2. Mr. JAIPAL (India) added his congratulations to those of the President.
- 3. Mr. CLAEYS-BOUUAERT (Belgium) thanked the President and members of the Council for their good wishes.

General Assembly resolutions 752 (VIII) and 858 (IX) and Trusteeship Council resolution 1085 (XV): Attainment by the Trust Territories of the objective of self-government or independence (T/L.500, T/L.579 and Add.1, T/L.591, T/L.609, T/L.617) (concluded)

[Agenda item 12]

- 4. Mr. JAIPAL (India) thought it regrettable that the Council's consideration of the above item had been left until so late in the session; the delay reflected the attitude of various delegations to the relevant General Assembly resolutions.
- 5. Replying to the statements the Australian and French representatives had made at the 642nd meeting regarding the Indian draft conclusions and recommendations (T/L.500), he said that it was not always possible or necessary to visit a Trust Territory before forming conclusions or making recommendations concerning it. He agreed, however, that during the last year there had been a greater measure of participation by the Nauru Local Government Council in Nauruan affairs, which called for some modification of the Indian recommendations. Recent developments in Togoland under French administration, too, necessitated some amendment of his country's conclusions with regard to that Territory.
- 6. In pursuance of General Assembly resolution 752 (VIII) and Council resolution 866 (XIII), for which India had voted, his country had felt obliged to submit its views to the Council, in the hope that other members would likewise put forward their views and that the Council would formulate its own conclusions and recommendations after considering all the views expressed. Since that was not the case, India had been obliged to ask for a vote on its own proposals.
- 7. Mr. ROBBINS (United States of America) said that, although the United States had abstained on the relevant resolutions, it appreciated the General Assembly's concern with regard to the question. The Indian delegation was to be commended for its efforts to comply with the Assembly's wishes and to assist the Council by preparing draft conclusions; he, too, felt that the Indian proposals had deserved earlier consideration.
- 8. It would be an unsound proceeding for the Council, after reaching conclusions on individual Trust Territories in the normal course of its work, to set about drawing up another series of conclusions as a separate operation. The Secretary-General's draft report (T/L.579 and Add.1) clearly illustrated the fact that such a course would entail duplication of effort and would obscure the results of the Council's work. He

therefore welcomed the workmanlike procedure which the Council had adopted for its future treatment of the question.

- 9. His delegation would be obliged to vote against the Indian proposals. At that late stage of the session there was no time to explain its objections in detail. Generally speaking, however, many of the conclusions were so controversial that responsible Administering Authorities would have difficulty in accepting them as they stood; secondly, as now drafted the conclusions would be of doubtful value to the people of the Trust Territories, because they were not only too sweeping but in some cases inconsistent with previous conclusions of the Council; thirdly, they formed as it were a short cut to the declaration of political aims and views which tended to run counter to the methods which the Council had laboriously developed in the light of experience; lastly, they were not sufficiently balanced for incorporation in a Council report.
- 10. His Government's desire to see Trust Territories achieve self-government or independence as rapidly as possible was as keen as that of any other Government, but the transition should be effected in an orderly and resolute fashion. It was impossible to formulate rigid rules which would be applicable to all Trust Territories alike.
- There appeared to be two alternatives. The Council could simply advise the General Assembly of the procedure it had adopted for future treatment of the question of attainment of self-government or independence. If, however, it felt that something should be submitted to the General Assembly, it could either request the Secretariat to extract from the latest reports on the Trust Territories the conclusions relevant to the various sections of the draft report (T/L.579 and Add.1) or it could refer the Assembly to the relevant passages. As far as the Indian draft conclusions and recommendation were concerned, the Council could take note of the document and decide that its contents should be considered item by item when the advancement of each Territory towards self-government or independence was under review.
- 12. Should any of those suggestions commend themselves to the Council, his delegation would willingly cooperate with others in drafting a set of conclusions along those lines.
- 13. Mr. DORSINVILLE (Haiti) noted with regret that the position of the Administering Authorities on the issue of attainment of self-government or independence was unchanged and that the anticipated amendments to the Indian draft proposals and recommendations had not been forthcoming.
- 14. His delegation, which had voted in favour of General Assembly resolutions 752 (VIII) and 858 (IX), agreed in principle on most of the Indian proposals. It had certain reservations, however, with regard to section A (g) of the document. The reference in the third paragraph of that section to the transfer of executive and legislative powers and administrative responsibility after consultation with the inhabitants was apt in the case of Western Samoa but his delegation must voice some reservations with regard to Togoland and the Cameroons under British administration, where it felt that there had been insufficient consultation of the inhabitants.
- 15. Again, with regard to the fourth paragraph of that section, it doubted the validity of the criterion of race

as the basis of minority representation. Haiti had already expressed its opposition to the policy of political representation of foreign elements in the Territory; the rights of aliens participating in the economic life of a Territory should certainly be protected, but political evolution was a matter for the indigenous population alone. There was a danger that certain rights granted to aliens in the Trust Territories would come to be regarded as vested interests, to be defended to the last, and would stand in the way of the indigenous people when they came to decide on their future.

- 16. His first reservation, with regard to consultation, was borne out in the second paragraph of section B (j), where India acknowledged that the process of consultation had not in all cases been applied as exhaustively as was desirable.
- 17. His delegation had championed the principles embodied in the conclusions and recommendations set forth in sections C *et seq*. of the document and, subject to the reservations stated, would vote for the Indian proposals as a whole.
- 18. Mr. CLAEYS-BOUUAERT (Belgium) said that the Belgian amendments (T/L.609) were designed to supplement the Secretary-General's draft report contained in the annex to document T/L.579 at certain points. Paragraph 1 emphasized the differences between the particular councils referred to. The Council of the Vice-Government-General was the only true advisory body in the Territory of Ruanda-Urundi; the higher councils had legislative as well as administrative powers; the chiefdom and sub-chiefdom councils drew up budgets which amounted to more than half the Territory's total budget and took decisions with regard to African civil law and land tenure. Paragraphs 2 and 3 were drafting amendments. Paragraph 4 reflected the fact that the number of European and indigenous officials in higher posts shown in paragraph 101 did not include the many Africans and the smaller number of Europeans whom the Government employed on other terms.
- With regard to the Indian proposals, all the Council could do at that session was to note the progress made in the Secretary-General's analysis of the situation with regard to the attainment of self-government or independence and state what the Council had done towards complying with the General Assembly resolutions. The efforts at conciliation made by all members of the Council in seeking a compromise solution should be given due prominence. To take the Indian proposals as a basis for discussion would mean relying on incomplete information and taking decisions without a full knowledge of the facts. The document showed the danger inherent in considering a Territory's political development in isolation instead of with reference to conditions as a whole. Under the Trusteeship Agreements the responsible States had much wider responsibilities than simply that of promoting political advancement and, as the United Nations Visiting Mission to the Trust Territories in East Africa, 1954, had stated in its report on Ruandi-Urundi, the outward forms of democracy could have no meaning unless the substance of democracy was realized (T/1141, para. 185).
- 20. Mr. SCOTT (New Zealand) said that the series of comparisons between the policies of sovereign Governments which appeared in the Indian draft conclusions marked a radical departure from Council practice and would hardly commend itself to the General Assembly as a model to be followed. In the New Zealand

view it would be preferable for the Council to appraise the political progress of each Territory separately, as it had in the past, and his delegation had accordingly voted in favour of the procedure which had been adopted at the 642nd meeting.

21. Furthermore, conditions in the Trust Territories varied so widely and their development was so far from uniform that no general comparative survey of the type attempted in the Indian document could be of value or could appropriately be attempted by a United Nations organ.

22. Without going into detail on the Indian proposals he wished to point out that section B disregarded the very full consultations undertaken by New Zealand through the Constitutional Convention held in Western Samoa in 1954. The proposals were unrealistic and quite out of date; his delegation would be obliged to vote against them.

23. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) welcomed the initiative which the Indian delegation had shown in introducing its draft proposals; the question of attainment of self-government or independence was the most important aspect of the Trusteeship System. The proposals, however, while very comprehensive on most matters, were open to dispute on some points.

24. His delegation had pointed out at the 642nd meeting that to postpone consideration of the proposals could only impair the Council's performance of its duties. It was now so late in the session as to suggest that the Council was still unready to adopt any recommendation on the vital subject with which they dealt, but it would be wrong for the Council to shirk detailed consideration of them and to abstain from taking any decision.

25. Despite the criticism and opposition voiced by some speakers, the Indian draft conclusions and recommendations had received careful attention and appeared to be acceptable to most members of the Council. It seemed advisable, therefore, not to vote on the document as a whole but on the individual proposals one by one.

26. As he had pointed out earlier, the Secretary-General's report, albeit detailed, was one-sided and failed to take into account the views expressed by members of the Council. It would do the General Assembly no service to incorporate it in the Council's own report unaccompanied by conclusions and recommendations from the Council itself. The report as it stood was a production of the Secretariat and, until the Council added its own conclusions and recommendations, could not be regarded as a Council document.

27. Mr. JAIPAL (India) said that, since opinion was divided with regard to the Indian proposals (T/L.500) and Council members would like more time to consider the question, he would not press his earlier request for a vote on the Indian proposals but would accept the United States proposal that the Council should take note of the document and refer it to the drafting committees of the next session.

28. Mr. ROBBINS (United States of America) said that his had been a mere suggestion, not a formal proposal.

29. Mr. ASHA (Syria) formally proposed that the Council take note of the draft conclusions and recommendations submitted by India (T/L.500) and refer them, together with the statements made thereon, to

the future drafting committees on conditions in Trust Territories.

30. The PRESIDENT put the Syrian proposal to the vote.

The proposal was adopted by 6 votes to 3, with 2 abstentions.

- 31. Mr. FORSYTH (Australia) explained that his vote in favour of the procedure proposed by the Syrian representative did not imply approval of the substance of document T/L.500.
- 32. Mr. SCOTT (New Zealand) said that he had voted against the Syrian proposal because it would be fruitless to refer a document which was not generally supported by the Council to future drafting committees. If his delegation were to serve on any of those committees, it would not be in any way committed to studying the draft document T/L.500.
- 33. The PRESIDENT put to the vote the United Kingdom amendments (T/L.591) to document T/L.579.

The amendments were adopted by 6 votes to none, with 5 abstentions.

34. The PRESIDENT put to the vote the Belgian amendments (T/L.609) to document T/L.579.

The amendments were adopted by 7 votes to 1, with 4 abstentions.

35. The PRESIDENT put to the vote the French amendments (T/L.617) to document T/L.579.

The amendments were adopted by 6 votes to none, with 6 abstentions.

36. The PRESIDENT called upon the Council to vote on whether it should adopt the draft report as amended prepared by the Secretariat (T/L.579 and Add.1).

The Council decided by 1 vote to none, with 11 abstentions, not to adopt the draft report contained in documents T/L.579 and Add.1.

Examination of the annual report of the Administering Authority on the administration of the Trust Territory of Somaliland under Italian administration for the year 1954 (T/1174, T/1176, T/1177, T/1188, T/1189) (continued)

[Agenda item 4 (a)]

Examination of petitions circulated under rule 85, paragraph 2, of the rules of procedure of the Trusteeship Council (T/COM.11/L.128, T/PET.11/L.13 to 17) (concluded)

[Agenda item 5]

Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1954, on Somaliland under Italian administration (T/ 1143 and Corr.1) (concluded)

[Agenda item 6]

Report of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration covering the period from 1 April 1954 to 31 March 1955 (T/1172) (concluded)

[Agenda item 17]

General Assembly resolution 855 (IX): Financing of the economic development plans of the Trust Territory of Somaliland under Italian administration (T/1186) (concluded)

[Agenda item 13]

At the invitation of the President, Mr. de Holte Castello (Colombia), Mr. Salah (Egypt) and Mr. García (Philippines), representatives of States members of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration, took places at the Council table.

REPORT OF THE DRAFTING COMMITTEE (T/L.587, T/L.610, T/L.611)

- 37. Mr. ASHA (Syria), speaking as Chairman of the Drafting Committee, said that the question of the frontier between the Trust Territory and Ethiopia was not mentioned in the Committee's report because his delegation had submitted a separate draft resolution (T/L.593/Rev.2) on the subject. Similarly, there was no mention of the financing of economic development plans in the Trust Territory of Somaliland under Italian administration, since the Indian and Syrian delegations had co-sponsored a draft resolution (T/L.608/Rev.1) on that subject.
- 38. The PRESIDENT called upon the Council to vote on the conclusions and recommendations contained in the various sections of the Drafting Committee's report (T/L.610, paras. 6 to 40).

I. GENERAL

Paragraph 6 under the heading "General considerations" was adopted by 11 votes to none, with 1 abstention.

Paragraph 7 under the heading "United Nations Advisory Council" was adopted unanimously.

Paragraph 8 under the heading "Security and order" was adopted unanimously.

Paragraph 9 under the heading "National flag of the Territory" was adopted unanimously.

II. POLITICAL ADVANCEMENT

Paragraph 10 and 11 under the heading "General situation: administrative structure" were adopted unanimously.

- 39. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) said that the word "guidance" in paragraph 12 implied manipulation and control and should therefore be deleted.
- 40. Mr. JAIPAL (India) proposed that it should be replaced by the word "advice" in the English text.

The Indian proposal was adopted unanimously.

Paragraph 12, as amended, under the heading "Political organizations" was adopted unanimously.

Paragraph 13 under the heading "Territorial Council" was adopted unanimously.

Paragraph 14 under the heading "District councils" was adopted unanimously.

Paragraph 15 under the heading "Municipal councils" was adopted unanimously.

Paragraphs 16 and 17 under the heading "Administrative services" were adopted unanimously.

Paragraphs 18 and 19 under the heading "Judicial system" were adopted unanimously.

III. ECONOMIC ADVANCEMENT

Paragraph 20 under the heading "Development plans and financing" was adopted by 11 votes to none, with 1 abstention.

Paragraph 21 under the same heading was adopted unanimously.

Paragraph 22 under the same heading was adopted by 10 votes to none, with 2 abstentions.

Paragraph 23 under the same heading was adopted unanimously.

Paragraph 24 under the heading "Public finance and taxation" was adopted by 11 votes to 1.

41. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) explained that he had voted against paragraph 24 because it recommended increased taxation, which he felt unjustified.

Paragraph 25 under the same heading was adopted unanimously.

Paragraphs 26 and 27 under the heading "Trade" were adopted unanimously.

Paragraph 28 under the heading "Agriculture and animal husbandry" was adopted unanimously.

Paragraph 29 under the heading "Land tenure" was adopted unanimously.

Paragraph 30 under the heading "Mining" was adopted 11 votes to none, with 1 abstention.

IV. Social advancement

Paragraph 31 under the heading "General" was adopted unanimously.

Paragraph 32 under the heading "Status of women" was adopted unanimously.

Paragraph 33 under the heading "Laboui" was adopted unanimously.

Paragraphs 34 and 35 under the heading "Medical and health services" were adopted unanimously.

V. EDUCATIONAL ADVANCEMENT

Paragraphs 36, 37 and 38 under the heading "General" were adopted unanimously.

Paragraph 39 under the heading "Development of the Somali language: use of the Arabic language" was adopted unanimously.

Paragraph 40 under the heading "Fundamental education" was adopted unanimously.

42. The PRESIDENT put to the vote the recommendation in paragraph 5 of the Drafting Committee's report, that document T/L.587, with paragraphs 19 and 20 deleted, should be included in the Council's next report to the General Assembly as the basic text for the chapter on Somaliland.

The Drafting Committee's recommendation was adopted by 11 votes to none, with 1 abstention.

43. The PRESIDENT asked the Council to decide whether the summary of observations made by individual members of the Council and the observations of the representative and the special representative of the Administering Authority (T/L.611) should be included in the Council's report on conditions in the Trust Territory of Somaliland under Italian administration.

The Council decided by 9 votes to none, with 3 abstentions, that the summary should be included in its report.

The report as a whole on conditions in the Trust Territory of Somaliland under Italian administration was adopted by 11 votes to none, with 1 abstention.

- DRAFT RESOLUTION SUBMITTED BY SYRIA CONCERNING THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION AND ETHIOPIA (T/L.593/Rev.2)
- 44. Mr. ASHA (Syria) explained that his delegation's object in presenting the draft resolution was simply to express the view that the matter deserved immediate attention. He trusted that it would receive the support of the members of the Council, so that the problem, which was considered to be one of the most important issues for the future State of Somalia, might be solved in the near future.
- 45. Mr. MULCAHY (United States of America) said that his delegation had consistently supported every constructive proposal in the Council and the General Assembly designed to leave the Somali people encumbered with the fewest possible problems when their new State came into existence in 1960. For that reason it had supported General Assembly resolution 854(IX), which had been introduced by the Haitian delegation. It remained convinced that an early settlement of the issue would remove one of the few obstacles to peace and security in East Africa. It therefore wished to express its full confidence in the intentions of the Governments of Ethiopia and Italy, which had demonstrated their willingness to carry out the General Assembly's desires in connexion with the frontier problem. The Ethiopian and Italian Governments had recently carried on direct negotiations to solve the problem, which had been outstanding for over half a century. The United States delegation felt that the General Assembly, in resolution 854 (IX), had wisely and realistically envisaged the possibility that Italo-Ethiopian talks might not be concluded before the end of July 1955.
- 46. In the opinion of the United States delegation the wording of the Syrian draft resolution implied a lack of confidence by the Council in the negotiating Powers. In view of the fact that negotiations had already begun, the resolution as it stood was somewhat premature and tended to prejudge the outcome of the negotiations. The United States delegation felt that it would be useless to expect a problem of such proportions and complexity to be settled within the few weeks that remained before the beginning of the tenth session of the General Assembly. It was therefore unable to support the draft resolution as it stood and suggested that in the last paragraph the words "that it avail itself of the mediation procedure" should be replaced by the words "and the Government of Ethiopia that at the appropriate time they consider the desirability of applying the procedure for settlement".
- 47. Mr. CUTTS (Australia) said that before voting on the United States amendment he would like to have the views of other members of the Council on the question whether it was appropriate for the Council to make a recommendation to the Government of Ethiopia.
- 48. Mr. JAIPAL (India) observed that it would be unprecedented for the Council to address a recommendation to a country which was not a member of the Council.
- 49. Mr. EGUIZABAL (El Salvador) and Mr. DORSINVILLE (Haiti) shared the doubts expressed by the representatives of Australia and India.

- 50. Mr. MULCAHY (United States of America) maintained that there was no reason why the Trusteeship Council should not address itself to a State which, while not a member of the Council, was a Member of the United Nations. It seemed to his delegation that by refusing to do so the Council would be waiving its jurisdiction in a matter with which it was vitally concerned.
- 51. Mr. DE HOLTE CASTELLO (Colombia), Chairman of the United Nations Advisory Council for Somaliland, wondered what would happen if, the Council having appealed to the two parties, one were to respond to the appeal and the other not.
- 52. Mr. S. S. LIU (China) thought that the problem might be solved by the adoption of a final paragraph similar to paragraph 3 of document T/L.593/Rev.1, which had been withdrawn and replaced by T/L.593/Rev.2, namely:
 - "Recommends to the Administering Authority to consider the need for seeking at the appropriate time the agreement of the Government of Ethiopia to the procedure of mediation outlined in the General Assembly resolutions mentioned above."
- 53. Mr. ASHA (Syria), while reserving his delegation's position until he had seen the United States amendment in writing, could say at once that he did not think he could accept it in its entirety. He appealed to the United States representative to reconsider his amendment.
- 54. He emphasized that the Syrian delegation had every confidence in the parties to the negotiations. The draft resolution contained nothing that could offend either of them.
- 55. Mr. JAIPAL (India) said that his delegation would be willing to accept the United States amendment if the words "and the Government of Ethiopia" were deleted.
- 56. The PRESIDENT said that consideration of the question would be postponed to the following meeting.
- DRAFT RESOLUTION SUBMITTED BY INDIA AND SYRIA ON THE FINANCING OF THE ECONOMIC DEVELOPMENT PLANS OF THE TRUST TERRITORY OF SOMALILAND (T/L.608/Rev.1)
- 57. Mr. JAIPAL (India) said that he would like to substitute the word "desirable" for the word "necessary" in the third paragraph of the preamble of the draft resolution.
- 58. Mr. ASHA (Syria) accepted that amendment.
- 59. Mr. CUTTS (Australia) said his delegation regretted that the sponsors had made such drastic amendments to their original draft resolution (T/L.608).
- 60. In the original draft resolution the Council had first taken note of the statements listed in the preamble and had then recommended that the Administering Authority should take certain steps. In the revised version (T/L.608/Rev.1) the Council merely took note of the statements and made no recommendation at all. He would like to know why that change had been made and why the hope expressed in the original version that the International Bank would reconsider its position had been omitted from the revised version.
- 61. His delegation was reluctant to support the amended draft resolution, which it thought less useful than the original one.

- 62. Mr. EGUIZABAL (El Salvador) endorsed the views expressed by the Australian representative and hoped that the sponsors would withdraw the amended version and re-submit the original draft resolution.
- 63. Mr. S.S. LIU (China) and Mr. DORSINVILLE (Haiti) also preferred the original draft resolution to the revised version.
- 64. Mr. ASHA (Syria) said that the sponsors' object had been to achieve simplicity and to avoid anything that might be regarded as outside the jurisdiction of the Council. In view, however, of the statements made by other members, he and the representative of India would withdraw the revised version and re-submit their original draft resolution (T/L.608), with the Indian amendment to the third paragraph of the preamble.

The draft resolution (T/L.608), as orally amended, was adopted by 8 votes to none, with 4 abstentions.

- DRAFT RESOLUTION SUBMITTED BY HAITI ON THE REPORT OF THE UNITED NATIONS VISITING MISSION TO TRUST TERRITORIES IN EAST AFRICA, 1954, ON THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION (T/L.594)
- 68. Mr. DORSINVILLE (Haiti) said that his draft resolution was practically identical with resolution 1086 (XV) relating to the reports of the Visiting Mission on Tanganyika and Ruanda-Urundi for 1954 adopted by the Council at its previous session. He hoped it would be favourably received by the members of the Council.
- 66. Mr. JAIPAL (India) suggested the addition at the end of paragraph 3 of the words "and the observations of the Administering Authority contained in the documents presented by it" (T/1189).

The Indian amendment was adopted unanimously.

The draft resolution as a whole, as amended, was adopted unanimously.

The meeting rose at 12.35 p.m.