



TRUSTEESHIP COUNCIL

Twenty-fourth Session

OFFICIAL RECORDS

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at 2.30 p.m.

NEW YORK

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President: Mr. Max H. DORSINVILLE (Haiti).

Present:

The representatives of the following States: Australia, Belgium, Burma, China, France, Haiti, India, Italy, New Zealand, Paraguay, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: Food and Agriculture Organization of the United Nations; World Health Organization.

Place of meeting of the twenty-sixth session of the Trusteeship Council (T/L.947, T/L.948)

1. The PRESIDENT drew the Council's attention to the draft resolution submitted by the Belgian and Paraguayan delegations concerning the place of meeting of the twenty-sixth session of the Trusteeship Council (T/L.947) and the report of the Secretary-General on its financial implications (T/L.948).

2. Miss TENZER (Belgium) said that the Italian Government had extended a very generous and pleasant invitation to the Council and that all delegations would no doubt hope that it would be possible to accept it. It was with that end in view that her delegation, together with the delegation of Paraguay, had submitted a draft resolution to the Council along those lines.

3. Mr. SOLANO LOPEZ (Paraguay) pointed out that the draft resolution was based on three considerations: firstly, the invitation conveyed to the Council by the Italian representative, who had stated that his Government would be happy to act as host to the Trusteeship Council for the twenty-sixth session to be held during the summer of 1960; secondly, the provision in rule 6 of the rules of procedure authorizing the Council to hold its sessions away from the seat of the United Nations; thirdly, the terms of paragraph 2 (e) of General Assembly resolution 1202 (XII), under which meetings might be held away from the established headquarters of any body in cases where a Government issuing an invitation for a meeting to be held within its territory had agreed to defray, after consultation with the Secretary-General as to their nature and possible extent, the

additional costs involved. Moreover, at its summer session of 1960 the Council would be dealing with the Trust Territory of Somaliland under Italian administration for the last time. The Italian Government, which had faithfully carried out the task entrusted to it, would like the last session at which Italy would serve as an Administering Authority to take place on Italian soil. It was therefore incumbent on the members of the Council to accept the generous invitation, for which the Paraguayan delegation, like that of Belgium, warmly thanked the Italian Government.

4. Mr. KIANG (China) observed that, according to paragraph 3 of the Secretary-General's report on the financial implications of the draft resolution (T/L.948), the total costs of \$236,000 shown in paragraph 1 had been based on the assumption that the duration of the session would be eight weeks. Bearing in mind General Assembly resolution 1202 (XII), he asked when the session would begin.

5. Mr. WIESCHHOFF (Secretary of the Council) said that, since the estimates submitted to the Council were based on the assumption that the Trusteeship Council session would not overlap the session of the Economic and Social Council, which was to begin on 7 July, the Council would clearly have to decide to suspend the relevant rule of its rules of procedure and convene its next summer session on about 1 May instead of at the beginning of June.

6. Mr. KIANG (China) asked if the annual reports of the Administering Authorities would be ready by that date.

7. Mr. CASTON (United Kingdom) said that when his delegation had made the necessary arrangements for submitting the report on Tanganyika for 1959 to the summer session, it had been under the impression that that session would be held as usual in June and July and that the examination of conditions in Tanganyika would begin during the month of July. In other words, it had hoped to have a little leeway between the end of April—the time by which it had undertaken to try to submit the report—and the date on which the report would actually be examined by the Council. Having consulted the Government of Tanganyika, however, he was in a position to state, on behalf of his Government, that the examination of conditions in Tanganyika on the basis of the annual reports for 1958 and 1959 could begin at any time after 8 June 1960, but preferably after 15 June. That meant that Tanganyika would have to be one of the last two Territories to be taken up by the Council during the summer session of 1960.

8. Mr. VITELLI (Italy) thanked the Belgian and Paraguayan representatives for submitting a draft resolution on the Italian Government's invitation. That invitation reflected Italy's gratitude to the Council for the assistance it had given in connexion with the Trust Territory of Somaliland.

9. The representatives of China and the United Kingdom had rightly raised a number of technical points.

He thought he could interpret their words as an expression of their interest in the Italian Government's invitation. He hoped the Council would take a decision as indicated in paragraph 2 of the draft resolution. With regard to paragraph 3, his delegation would get in touch with the Secretariat in order to work out the details if the Council decided to accept the invitation. The Secretary-General had submitted his estimate of the financial implications of such a decision (T/L.948); the Italian delegation, for its part, had made some calculations—it had obviously been unable to discuss the question with the Secretariat before the Council had made known its decision—and it hoped, when the time came, to be in a position to make all the necessary arrangements. The Fifth Committee would of course have to consider the question before the General Assembly reached a decision.

10. Mr. BACON (United States of America) said that, although he could not give the Council an absolute assurance that the annual report on the Trust Territory of the Pacific Islands would be ready at the requisite time, he was certain that the United States Government would do its utmost to make it so.

11. Mr. KELLY (Australia) said that in article 8 of the Trusteeship Agreement for the Trust Territory of New Guinea the Administering Authority had undertaken to co-operate with the Trusteeship Council in the discharge of all the Council's function under Articles 87 and 88 of the Charter. His delegation, of course, would co-operate with the Council.

12. The PRESIDENT drew the Council's attention to paragraph 1 of rule 72 of the Council's rules of procedure, which prescribed that the annual report of an Administering Authority prepared on the basis of the questionnaire formulated by the Trusteeship Council was to be submitted to the Secretary-General within six months from the termination of the year to which it referred.

13. Mr. SOLANO LOPEZ (Paraguay) pointed out that the majority necessary for adoption of the draft resolution submitted by Belgium and Paraguay could be secured only if the Administering Authorities voted for the draft resolution. Such a vote on their part would imply that they were prepared, as always in the past, to co-operate with the Council and consequently to do their utmost to provide the Council at its summer session in 1960 with all the documents it would need for its work.

14. Mr. KIANG (China) recalled that it had always been his delegation's view that, for reasons of economy, meetings of United Nations bodies should be held at the established headquarters of the bodies concerned, subject to the exceptions stipulated in General Assembly resolution 1202 (XII), one of which referred to the case where a Member State had issued an invitation for a meeting to be held within its territory. He thanked the Italian Government warmly for its gracious invitation and, having noted that a number of Territories, including Somaliland under Italian administration, would attain independence in 1960, said that he would vote in favour of the draft resolution, on the understanding that his delegation's position in regard to the place of meeting of United Nations bodies had not changed.

15. Mr. CASTON (United Kingdom) said that his delegation was most happy to be able to accept the generous invitation from the Italian Government. The represen-

tative of Italy had said that the invitation had been issued partly in order to acknowledge the co-operation and assistance which the Council had given to Italy in its position as Administering Authority for Somaliland. In accepting the invitation, the Council in its turn would pay a tribute to the Italian Government for the manner in which it had discharged its responsibilities, for which the United Nations owed Italy a great debt.

16. There would be technical problems, of course, but these certainly could be overcome, and he said that he would vote for the draft resolution on the assumption that the requirements of General Assembly resolution 1202 (XII) would be met. He thought that it might be prudent to fix forthwith the opening date for the summer session in 1960, which would have to be early in May, so that plans could be made accordingly, but he did not know whether it would be more appropriate to include an additional paragraph on the point in the draft resolution or to take a separate decision.

17. Mr. SOLANO LOPEZ (Paraguay) thought that a separate decision should be taken on the question of the opening date of the summer session in 1960.

18. At the request of Mr. OBEREMKO (Union of Soviet Socialist Republics), the PRESIDENT proposed that the vote on the draft resolution (T/L.947) should be deferred until the following day.

It was so decided.

Examination of petitions (T/L.942-945) (concluded)

[Agenda item 4]

At the invitation of the President, Mr. de Holte Castello (Colombia) and Mr. Baradi (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.

**TWO HUNDRED AND THIRTY-NINTH, TWO HUNDRED AND FORTIETH AND TWO HUNDRED AND FORTY-FIRST REPORTS OF THE STANDING COMMITTEE ON PETITIONS: PETITIONS CONCERNING SOMALILAND UNDER ITALIAN ADMINISTRATION (T/L.942-944)**

19. Mr. CASTON (United Kingdom), Chairman of the Standing Committee on Petitions, presented the Committee's reports (T/L.942, T/L.943 and T/L.944). The Committee had considered ninety-one of the ninety-three petitions concerning the Territory listed in the annex to the agenda of the Council's present session, and in addition five petitions which had not been listed in the agenda since they had not been received within the prescribed time-limit. Of the two petitions which had not been considered, one did not relate to the Trust Territory and the other would appear on the Council's agenda at the next session. The Committee was submitting eighty-eight draft resolutions for adoption by the Council. No resolution was recommended by the Committee for the eight petitions dealt with in section I of the two hundred and thirty-ninth report, since further information was awaited from the Administering Authority, which expected that the proceedings would be completed before the end of 1959.

Two hundred and thirty-ninth report (T/L.942)

20. The PRESIDENT invited the Council to vote on the draft resolutions in the annex to the report (T/L.942).

Draft resolution II was adopted by 13 votes to none, with 1 abstention.

21. Mr. VITELLI (Italy) wished to say that the matter raised in the petitions to which draft resolution III referred concerned only the Administering Authority and could not be considered as having any direct connexion with the affairs of the Trust Territory. Consequently, his delegation had supplied information on that matter only as a courtesy to the Council.

Draft resolution III was adopted unanimously.

Draft resolution IV was adopted unanimously.

Draft resolution V was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VI was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VII was adopted unanimously.

Draft resolution VIII was adopted by 12 votes to none, with 2 abstentions.

Draft resolution IX was adopted by 12 votes to none, with 2 abstentions.

22. The PRESIDENT pointed out that in paragraph 3 of the report (T/L.942) the Standing Committee on Petitions recommended that the Council should decide that no special information was required concerning the action taken on resolutions II to IX.

The recommendation was adopted by 12 votes to none, with 2 abstentions.

Two hundred and fortieth report (T/L.943)

23. The PRESIDENT invited the Council to vote on the draft resolutions in the annex to the report (T/L.943).

24. Mr. MUFTI (United Arab Republic) drew attention to the fact that not all the members of the Standing Committee on Petitions had been present during the examination of the petitions dealt with in the report and asked that the name of the absent member should be given. He also asked that it should be made clear, in section I, paragraph 6, and in section X, paragraph 7, that the decisions had been taken "by a unanimous vote of the five members present".

25. Mr. CASTON (United Kingdom), Chairman of the Standing Committee on Petitions, pointed out that the records of the proceedings duly reflected the membership of the Committee.

26. Mr. MUFTI (United Arab Republic) said that what he really wanted was that the membership of the Committee at the time of the vote should be indicated.

27. The PRESIDENT said that, since a report of the Standing Committee on Petitions was involved, the members of the Trusteeship Council could express their opinion in the matter but they could not amend the report.

28. Mr. MUFTI (United Arab Republic) urged the Chairman of the Standing Committee on Petitions to tell the Council which delegation had been absent during the voting.

29. Miss TENZER (Belgium) said that it was not customary to give information of that kind regarding a vote by show of hands.

30. Mr. CASTON (United Kingdom), Chairman of the Standing Committee on Petitions, added that the quorum

in the Standing Committee on Petitions was four members out of the total membership of six.

31. Mr. MUFTI (United Arab Republic), noting that the information he asked for was not available, wished to have his comments appear in the record.

Draft resolution I was adopted by 13 votes to none, with 1 abstention.

Draft resolution II was adopted by 12 votes to none, with 2 abstentions.

Draft resolution III was adopted by 12 votes to none, with 2 abstentions.

Draft resolution IV was adopted by 12 votes to none, with 2 abstentions.

Draft resolution V was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VI was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VII was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VIII was adopted by 12 votes to none, with 2 abstentions.

Draft resolution IX was adopted by 12 votes to none, with 2 abstentions.

Draft resolution X was adopted unanimously.

Draft resolution XI was adopted by 12 votes to none, with 2 abstentions.

32. The PRESIDENT pointed out that in paragraph 3 of its report (T/L.943), the Standing Committee on Petitions recommended that the Council should decide that no special information was required concerning the action taken on resolutions I to IX and XI.

The recommendation was adopted by 12 votes to none, with 2 abstentions.

Two hundred and forty-first report (T/L.944)

33. The PRESIDENT invited the members of the Council to vote on the draft resolutions in the annex to the report in document T/L.944.

34. Mr. MUFTI (United Arab Republic) said that his comments regarding the two hundred and fortieth report applied also to the report under consideration.

Draft resolution I was adopted by 12 votes to none, with 2 abstentions.

Draft resolution II was adopted unanimously.

Draft resolution III was adopted by 12 votes to none, with 2 abstentions.

Draft resolution IV was adopted by 12 votes to none, with 2 abstentions.

Draft resolution V was adopted by 13 votes to none, with 1 abstention.

Draft resolution VI was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VII was adopted by 12 votes to none, with 2 abstentions.

Draft resolution VIII was adopted by 12 votes to none, with 2 abstentions.

Draft resolution IX was adopted by 12 votes to none, with 2 abstentions.

Draft resolution X was adopted by 12 votes to none, with 2 abstentions.

Draft resolution XI was adopted by 12 votes to none, with 2 abstentions.

Draft resolution XII was adopted by 12 votes to none, with 2 abstentions.

Draft resolution XIII was adopted by 12 votes to none, with 2 abstentions.

35. Mr. VITELLI (Italy) made the same reservation with regard to draft resolution XIV as he had in the case of resolution III during the consideration of the two hundred and thirty-ninth report (T/L.942).

Draft resolution XIV was adopted unanimously.

Draft resolution XV was adopted by 13 votes to none, with 1 abstention.

36. The PRESIDENT pointed out that, in paragraph 3 of its report (T/L.944), the Standing Committee on Petitions recommended that the Council should decide that no special information was required concerning the action taken on resolutions I to XIII.

That recommendation was adopted by 12 votes to none, with 2 abstentions.

#### TWO HUNDRED AND FORTY-SECOND REPORT OF THE STANDING COMMITTEE ON PETITIONS (T/L.944)

37. The PRESIDENT asked the Council to consider the report in document T/L.945.

38. Mr. CASTON (United Kingdom), Chairman of the Standing Committee on Petitions, presented the Committee's report. He thanked the members of the Standing Committee on Petitions, the Committee on Classification of Communications and the Secretariat for the spirit of co-operation they had always shown.

39. Mr. ANTONOV (Union of Soviet Socialist Republics) expressed regret that the petitions relating to the Cameroons under French administration and the Cameroons under British administration had not been examined. His delegation could not agree to the statement in the report to the effect that the Committee had considered the 740 petitions from the two Cameroons. Three reports had been submitted on the eighty-eight petitions concerning Somaliland under Italian administration, whereas only one report had been prepared on those 740 petitions. He asked for a separate vote on paragraph 6 of the report under consideration. The refusal to examine the petitions from democratic organizations in the Cameroons under French administration was not in keeping either with the United Nations Charter or with the Council's rules of procedure, nor had an adequate reason been given to justify that refusal: the Administering Authority's failure to submit observations or to place a special representative at the disposal of the Committee was no reason for depriving the Territory's inhabitants of the right to have their petitions duly and carefully examined.

40. Mr. MUFTI (United Arab Republic) deplored the fact that the Standing Committee had been unable to obtain the services of a special representative for its examination of the petitions from the two Territories. Referring to paragraph 6 of the report, he asked on what basis the Committee had acted in deciding not to examine the fifty-nine petitions relating to the Cameroons under French administration.

41. Mr. CASTON (United Kingdom) said that a formal decision had been taken to that effect. All the requisite information had been furnished when the Council had considered the Standing Committee's two hundred and thirty-sixth report (T/L.924), at its 1016th meeting.

42. Mr. MUFTI (United Arab Republic) said that, in the circumstances, his delegation would abstain from voting on the report before the Council.

43. Mr. DOISE (France) recalled that his delegation had given a clear and detailed explanation of its position when the two hundred and thirty-sixth report had been adopted.

44. Mr. RASGOTRA (India) asked for separate votes on the two parts of paragraph 6. He could not agree to the first part, which sought to justify the absence of the French representative from the Committee at the time of the discussion on the fifty-nine petitions in question. He would, however, vote in favour of the second part of the paragraph, which stated that the Committee had not been able to examine the fifty-nine petitions owing to the attitude adopted by the Administering Authority. He emphasized, nevertheless, that he would vote for that part of the paragraph in so far as it was a statement of fact, but that vote should not be construed as an expression of support for the Committee's decision.

45. Mr. CASTON (United Kingdom) did not think that the Council could amend the report of the Standing Committee on Petitions or vote upon it in parts, as no draft resolutions or recommendations were involved and it was not a draft report for adoption by the Council.

46. Mr. ANTONOV (Union of Soviet Socialist Republics) felt that the Council should decide whether or not the fifty-nine petitions were to be examined; if it decided that it should not examine them, then it should give adequate reasons for its decision.

47. The PRESIDENT thought, like the United Kingdom representative, that the Council could not take a separate vote on a single paragraph in a report that did not contain a specific proposal but confined itself to a factual explanation. If the Soviet representative felt that the Council should take a decision regarding the fifty-nine petitions not yet examined, he could submit to the Council a formal proposal to that effect.

48. Miss TENZER (Belgium) recalled that, at the 1016th meeting, the Council had adopted a decision regarding document T/L.924, which dealt with all the petitions relating to the Cameroons under French administration, including the fifty-nine in question. There was therefore no reason to reopen the discussion.

49. Mr. ANTONOV (Union of Soviet Socialist Republics) recalled that his delegation had voted against the decision of the Standing Committee on Petitions.

50. Mr. CASTON (United Kingdom) pointed out that, in taking note of the report in document T/L.924, the Council had automatically noted the opposing vote of the Soviet delegation. When a Committee's report came before the Council, the Council could either take note of it or reject it as a whole, but it could not accept part of the report and reject the rest.

51. Mr. MUFTI (United Arab Republic) believed that delegations could hold different positions regarding different paragraphs of the report, and that they could therefore request a vote by division. Nevertheless, the

best solution to the problem would perhaps be for the Soviet delegation to submit a formal proposal that the fifty-nine petitions should be examined.

52. Mr. ANTONOV (Union of Soviet Socialist Republics), pointing out that the explanation given in paragraph 6 of document T/L.945 did not justify the decision not to examine the fifty-nine petitions relating to the Cameroons under French administration, proposed that the Standing Committee on Petitions should examine those fifty-nine petitions in accordance with the Council's rules of procedure.

53. The PRESIDENT said he would put the Soviet proposal to the vote.

54. Mr. KELLY (Australia), on a point of order, submitted that the proposal was not admissible as the Council had already dealt in substance with the issue.

55. Mr. MUFTI (United Arab Republic) regretted that the Australian representative should raise difficulties for the Council, which was already behind in its work. He asked for the text of the proposal referred to by the Australian representative.

56. Mr. CASTON (United Kingdom) believed that a proposal similar to that moved by the Soviet representative had been submitted to the Council in connexion with the two hundred and thirty-sixth report of the Standing Committee (T/L.924). That proposal had been rejected at the 1016th meeting.

57. Mr. ANTONOV (Union of Soviet Socialist Republics) explained that he had raised the question because he intended to abstain from voting on the report as a whole. If a separate vote was not taken on paragraph 6 or if the Council did not vote on his proposal, it would not be clear why he had abstained from voting on the report.

58. After a brief exchange of views between the PRESIDENT, Miss TENZER (Belgium), Mr. MUFTI (United Arab Republic) and Mr. KELLY (Australia), the PRESIDENT said he would take a vote on his ruling that the representative of the Soviet Union was entitled to move his proposal.

59. Mr. MUFTI (United Arab Republic), on a point of order, felt that that was not necessary, as no formal appeal had been made against the President's ruling.

60. Mr. CASTON (United Kingdom) supported that view. He thought that there was a gap in the rules of procedure, in so far as there was no provision for dealing with a proposal which was identical with one that had already been the subject of a decision in the Council. He thought that the Council should avoid such a practice.

61. Mr. RASGOTRA (India) thought, after perusing document T/L.924, that the proposal moved by the

Soviet delegation had not been submitted before, at least in that precise form. He too felt that the Council should instruct the Standing Committee to examine the fifty-nine petitions relating to the Cameroons under French administration, and that the Soviet proposal was appropriate in that respect. He would not press for the separate vote he had requested.

62. Miss TENZER (Belgium) proposed a brief recess.

The meeting was suspended at 4.35 p.m. and resumed at 5 p.m.

63. Mr. KELLY (Australia) said that, while reserving the position of his delegation with respect to the admissibility of the Soviet proposal, he would participate in the vote on that proposal.

64. Miss TENZER (Belgium) expressed regret that the Soviet representative had not submitted his proposal when document T/L.924 had been discussed.

65. The PRESIDENT put to the vote the Soviet representative's proposal that the Standing Committee on Petitions should be instructed to examine the fifty-nine petitions concerning the Cameroons under French administration.

The proposal was rejected by 9 votes to 4.

66. Mr. KELLY (Australia) drew the Council's attention to Article 87 b of the Charter, according to which the General Assembly and the Trusteeship Council "may . . . accept petitions and examine them in consultation with the Administering Authority". If the Soviet proposal had been submitted at a more appropriate time, he would have pointed out that in the form in which it was cast it constituted a departure from the terms of Article 87 b.

67. Mr. MUFTI (United Arab Republic) asked for a formal vote on the report of the Standing Committee on Petitions (T/L.945).

The report was adopted by 11 votes to none, with 3 abstentions.

68. Mr. RASGOTRA (India) pointed out that his vote in favour of the report was subject to the reservation he had made earlier with regard to paragraph 6. He emphasized how, in dealing with petitions concerning Somaliland under Italian Administration, the Standing Committee had been gratified by the presence of two inhabitants of the Territory in the capacity of special representatives of the Administering Authority. He hoped that other Administering Authorities would in future attach to their delegations representatives of the indigenous inhabitants of the Trust Territories.

The meeting rose at 5.10 p.m.