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[Agenda items 4 (c) and 5]

REPORT OF THE DRAFTING COMMITTEE ON NEW GUINEA (T/L.1066)

2. Mr. DE CAMARET (France) introduced the report of the Drafting Committee on New Guinea (T/L.1066). Although it was very short, it included all the points that had been touched on by the Council. The report had been drawn up with the help of the Secretariat and he wished in particular to thank Mr. Cottrell and his colleagues for the assistance that they had given the Drafting Committee. He also thanked the special representative, upon whose services the Drafting Committee had had to call several times. He did not think that there were any special points in the report to which he should draw the Council's attention but he would be at the disposal of the members of the Council for any information or explanations that they might require.

3. The PRESIDENT invited the Council to consider first the draft conclusions and recommendations in the annex to document T/L.1066 paragraph by paragraph, as was customary.

4. Miss BROOKS (Liberia) suggested that the words "commends the Administering Authority for its decision" in the second sentence of paragraph 1 should be replaced by "takes note of the decision of the Administering Authority". Although the establishment of a House of Assembly by 1964 was a step forward, the members of that body should be elected on a single roll and no seats should be reserved for any particular group of people. In the circumstances, the Council could hardly commend the Administering Authority.

5. Mr. McCARTHY (Australia) explained to the Liberian representative that there was only one roll for the whole of the Territory of Papua and New Guinea and that the names of all the persons eligible to vote would appear on that roll, entirely as individuals. In the elections to the new House of Assembly, all the voters appearing on the roll would participate not only in the election of the forty-four indigenous members but also in the election of the members to occupy the ten reserved seats. There was therefore only one electoral roll and only one system of adult suffrage.

6. He pointed out furthermore that it had been at the express request of the people of the Territory, particularly those who had been interviewed by the Select Committee on Political Development, that ten seats had been reserved for Australians, who would be elected by the same voters as would the candidates for the other forty-four seats.

7. Miss BROOKS (Liberia) said that even if there was a single electoral roll, the candidates elected should be representatives of the population and no

President: Mr. Nathan BARNES (Liberia).

Present:

The representatives of the following States: Australia, China, France, Liberia, New Zealand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: International Labour Organisation; World Health Organization.

Statement by the President concerning agenda item 7

1. The PRESIDENT announced, in connexion with agenda item 7, on the attainment of self-government or independence by the Trust Territories, and the situation in Trust Territories with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples, which the Council had disposed of at its previous meeting, that the representative of UNESCO had informed him that his organization had deposited with the secretariat of the Council a document it had prepared intitled "Implementation of resolution 8.2, adopted by the General Conference at its eleventh session, on the role of UNESCO in contributing to the attainment of independence by colonial countries and peoples". The document was available to any representatives who might wish to acquaint themselves with it.

Examination of conditions in the Trust Territory of New Guinea (concluded):

(i) Annual report of the Administering Authority for the year ended 30 June 1962 (T/1607, T/1615, T/L.1057 and Add.1);

special seats should be reserved for Australians or even for specific New Guineans and Papuans.

8. The Australian representative had said that seats had been reserved at the express wish of the indigenous inhabitants of the Territory. The special representative of the Administering Authority had stated, however, that an informal poll had shown that some of the Australian candidates would probably not be elected and that it had therefore been necessary to reserve seats for them. Thus it seemed that there was some difference of opinion amongst the indigenous inhabitants and in the circumstances it would be appropriate to replace the words "reflects the wishes of the indigenous inhabitants" in the fourth sentence of paragraph 1 by "reflects the wishes of some of the indigenous inhabitants".

9. Mr. FOTIN (Union of Soviet Socialist Republics) observed that the document before the Council had been compiled with great care and ingenuity and that every part of it testified to the competence of those who had had a hand in drafting it.

10. His delegation had unfortunately not had time to consider the question under discussion in sufficient detail. Nevertheless, in order to avoid holding up the work of the Council, it would merely request that the third and fifth sentences of paragraph 1 should be voted upon separately and by a roll-call vote.

11. Mr. McCARTHY (Australia), reverting to the point raised by the Liberian representative, read out a passage from the report of the Select Committee that had been quoted at the 1214th meeting, to the effect that the Papuans and New Guineans who had been interviewed by that Committee had without exception agreed that elected Australian members must remain on the Council. The indigenous inhabitants who had been consulted had considered that the presence of ten official members in the House of Assembly would be insufficient and that in any case farmers and business men from private enterprise should be represented. It should be borne in mind that the Select Committee had been appointed by the Legislative Council; the wishes of which he had spoken were those of the indigenous people themselves, and great efforts had been made to ascertain the opinion of the indigenous people in that connexion. Thus the wishes of the peoples of New Guinea were at variance with those of the representative of Liberia.

12. With regard to the third sentence of paragraph 1, to which the Soviet Union representative had referred, it was quite true, as the Council knew, that in the legislative field a certain number of restrictive powers were vested in the Administrator and in the Governor-General of the Commonwealth of Australia. It should be borne in mind, however, that before a bill passing through the Parliament of the Commonwealth of Australia became law, it required the assent of the Governor-General of Australia. As his delegation had already stated at the 1215th meeting, there was no way of introducing legislation regarding the Territory of New Guinea except through the Legislative Council, so that neither the Administrator, the Minister for Territories nor any other person could bring a law into force in the Territory of Papua and New Guinea without the concurrence of the majority of the members of the Legislative Council, which would include a large number of indigenous persons representing their own people.

13. The PRESIDENT put to the vote the Liberian amendment which would replace the words "commends the Administering Authority for its decision" in the second sentence of paragraph 1 by "takes note of the decision of the Administering Authority".

The amendment was adopted by 4 votes to 1, with 3 abstentions.

14. The PRESIDENT put to the vote the Liberian amendment which would replace the words "reflects the wishes of the indigenous inhabitants" in the fourth sentence of paragraph 1 by "reflects the wishes of some of the indigenous inhabitants".

The amendment was rejected by 3 votes to 2, with 3 abstentions.

At the request of the Soviet Union representative, a vote was taken by roll-call on the third sentence of paragraph 1.

China, having been drawn by lot by the President, was called upon to vote first.

In favour: China, Liberia, New Zealand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia.

Against: None.

Abstaining: France.

The third sentence of paragraph 1 was adopted by 7 votes to none, with 1 abstention.

At the request of the Soviet Union representative, a vote was taken by roll-call on the fifth sentence of paragraph 1.

The Union of Soviet Socialist Republics, having been drawn by lot by the President, was called upon to vote first.

In favour: Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, China, France, Liberia, New Zealand.

Against: None.

Abstaining: Australia.

The fifth sentence of paragraph 1 was adopted by 7 votes to none, with 1 abstention.

Paragraph 1 as a whole, as amended, was adopted by 7 votes to none, with 1 abstention.

15. Mr. FOTIN (Union of Soviet Socialist Republics) proposed the insertion in paragraph 2 of the words "which at the present time is still simply an advisory body" after the words "the Administrator's Council".

The amendment was rejected by 4 votes to 2, with 2 abstentions.

Paragraph 2 was adopted unanimously.

Paragraph 3 was adopted by 7 votes to none, with 1 abstention.

16. Mr. FOTIN (Union of Soviet Socialist Republics) proposed that the words "local rating powers" in the last sentence of the paragraph should be replaced by "the powers of local Government in all aspects including local rating".

The amendment was adopted by 3 votes to none, with 4 abstentions.

Paragraph 4, as amended, was adopted by 7 votes to none, with 1 abstention.

17. Mr. FOTIN (Union of Soviet Socialist Republics) proposed that the words "senior posts" at the end of paragraph 5 should be replaced by the words "key posts".

The amendment was adopted by 4 votes to none, with 3 abstentions.

18. Mr. McCARTHY (Australia) proposed that, since administrative responsibilities had already been devolved on the indigenous inhabitants of New Guinea, the words "administrative responsibilities" at the beginning of paragraph 5 should be replaced by the words "further administrative responsibilities".

The amendment was adopted by 5 votes to 1.

Paragraph 5, as amended, was adopted by 7 votes to none, with 1 abstention.

Paragraph 6 was adopted by 6 votes to none, with 2 abstentions.

Paragraph 7 was adopted by 6 votes to none, with 2 abstentions.

19. Miss BROOKS (Liberia), referring to paragraph 8, said she thought the word "commends" appeared too many times in the report. While she would not vote against paragraph 8, her delegation did not consider that it took sufficient account of the serious problems relating to road construction in the Territory; the report should reflect those problems.

20. Mr. Chiping H. C. KIANG (China) felt that the word "commends" should be retained in paragraph 8, in view of the very active part that the New Guinean people themselves had taken in the building of roads in the Territory.

21. Mr. HENSLEY (New Zealand) said that the Drafting Committee was well aware that in New Guinea, as in any under-developed country, communications constituted one of the major problems. The specific reference to two roads had been included because the Drafting Committee had been pleased to note the progress the Administering Authority had made towards carrying out that particular road-building programme, which had been suggested by the United Nations Visiting Mission to the Trust Territories of Nauru and New Guinea, 1962.

22. After an exchange of views in which the PRESIDENT, Miss BROOKS (Liberia) and Mr. COTTRELL (Secretary of the Council) took part, Miss BROOKS (Liberia) proposed that the beginning of paragraph 8 should be revised to read: "The Council, while noting that communications are one of the major problems in the Territory, commends the road-building programme carried out by the Administering Authority...".

The amendment was adopted unanimously.

Paragraph 8, as amended, was adopted by 7 votes to none, with 1 abstention.

Paragraph 9 was adopted by 7 votes to none, with 1 abstention.

Paragraph 10 was adopted by 7 votes to none, with 1 abstention.

23. Mr. FOTIN (Union of Soviet Socialist Republics) proposed that paragraphs 11 and 12 should be voted on together.

It was so decided.

Paragraphs 11 and 12 were adopted by 7 votes to none, with 1 abstention.

24. Mr. FOTIN (Union of Soviet Socialist Republics) proposed that the following sentence should be added at the end of paragraph 13: "The Council also considers that the Administering Authority should revise its position with regard to the United Nations scholarship programme."

25. Mr. McCARTHY (Australia) felt that the question raised by the representative of the Soviet Union was separate from the substantive question involved in paragraph 13.

26. With respect to the Administering Authority's attitude concerning the United Nations scholarship programme, he had already explained to the Council that, having regard to the stage of education reached in the Territory, the language problem, the close association of the people of the Territory of New Guinea with Australia and the highly developed educational facilities in Australia at all levels, the Administering Authority believed that at the present time the interests of the people of the Territory were best served by extending to them the facilities of Australia rather than seeking to complicate an already complicated educational position by asking the people to take advantage of scholarships abroad in the circumstances with which the Council was familiar.

27. Miss BROOKS (Liberia) said that the Soviet Union amendment did not precisely reflect the views her delegation had expressed on that particular problem. If she supported the amendment, it would be on the basis of upholding the principle of the United Nations in granting scholarships, which was of vital interest to the Members of the United Nations in that it contributed to the development of the peoples of the Trust Territories.

28. Mr. FOTIN (Union of Soviet Socialist Republics) asked the Australian representative whether he would accept the Soviet Union amendment if it were submitted as a separate paragraph.

29. Mr. McCARTHY (Australia) said that it would indeed be more logical if the Soviet Union amendment were submitted as a new paragraph; even in that case, however, what he had said about the Administering Authority's attitude with regard to the granting of scholarships to the indigenous inhabitants would still apply. The Liberian representative, who seemed to have considered the problem from quite a different point of view from that of the representative of the Soviet Union, had clearly brought out the principle involved, with which his delegation had no quarrel. What he did say was that at the present stage of advancement in Papua and New Guinea, and having regard to the educational facilities available in Australia and the stage reached by the inhabitants of the Territory, the interests of the indigenous population would be best served in the way indicated by the Administering Authority.

30. Mr. FOTIN (Union of Soviet Socialist Republics) said that his delegation would prefer to have its amendment placed at the end of paragraph 13.

31. Mr. Chiping H. C. KIANG (China) said that the Soviet Union amendment, as drafted, was not at all clear and that, that being so, his delegation would be unable to support it.

32. The PRESIDENT put the Soviet Union amendment to the vote.

The amendment was rejected by 5 votes to 2, with 1 abstention.

Paragraph 13 was adopted by 7 votes to none, with 1 abstention.

Paragraph 14 was adopted by 7 votes to none, with 1 abstention.

Paragraph 15 was adopted by 7 votes to none, with 1 abstention.

33. Mr. FOTIN (Union of Soviet Socialist Republics) proposed that the words: "confirms the recommendations of the twenty-seventh and twenty-ninth sessions of the Council, and again" should be inserted after the words "The Council" at the beginning of paragraph 16.

34. Mr. YATES (United States of America) proposed that paragraph 16 should be replaced by the following text:

"The Council urges the Administering Authority to continue to implement, in the light of the Charter of the United Nations, the Trusteeship Agreement and General Assembly resolution 1514 (XV) and in consultation with the representative organs of public opinion in the Territory, realistic plans and programmes reflecting a proper sense of urgency for the rapid and planned advance of the Territory in all aspects of its political life."

35. The purpose of that amendment was to encourage the Administering Authority to continue the action it had already undertaken, particularly in establishing a date for the election of the first legislative assembly of Papua and New Guinea. That was an excellent step, which the Trusteeship Council regarded with favour. His delegation considered that the new legislative assembly of the Territory should be given an opportunity to work for a while and to establish the target dates envisaged in the paragraph in question.

36. For the same reasons which had prompted it to propose its own amendment, his delegation would vote against the Soviet Union amendment.

37. Miss BROOKS (Liberia) said that her delegation would be unable to support the amendment proposed by the United States representative and that she personally would prefer the text of paragraph 16 submitted by the Drafting Committee.

38. In reply to a question by Mr. YATES (United States of America), the PRESIDENT said that he would put the Soviet Union amendment to the vote first, since it concerned the first part of the paragraph.

39. Mr. KING (United Kingdom) said that he would vote in favour of the amendment submitted by the United States representative and against the Soviet Union amendment, which he thought was incompatible with the United States amendment.

40. Miss BROOKS (Liberia) said that her delegation would vote in favour of the Soviet Union amendment, since it confirmed previous recommendations of the Trusteeship Council.

41. Mr. FOTIN (Union of Soviet Socialist Republics) remarked that a vote against the Soviet Union amendment could only be regarded as an attempt to revise previous decisions of the Council. The text proposed

by the United States representative would be a significant step backward, especially in view of the progress made when the membership of the Council had more faithfully reflected that of the General Assembly.

42. Mr. YATES (United States of America) pointed out, in reply to the representative of the Soviet Union, that subsequent to the decisions to which reference had been made, the Administering Authority had decided to establish a legislative council in the Trust Territory. That was a measure in conformity with the previous recommendations of the Council; it was also a new element warranting a change in approach to the earlier recommendations.

43. Mr. FOTIN (Union of Soviet Socialist Republics), noting that paragraph 16 had given rise to different interpretations, asked the members of the Drafting Committee by what principles they had been guided in adopting the proposed text.

44. Mr. Chiping H. C. KIANG (China) said that while his delegation respected the recommendations of the Drafting Committee, he wished to know the Committee's views with regard to the recommendation it had put forward in paragraph 16.

45. Mr. McCARTHY (Australia) drew attention in his turn to the advances already made and still being made in the Territory, to which the United States representative had referred. To repeat one or more recommendations of previous sessions of the Council year after year, as the representative of the Soviet Union wished to do, meant taking no cognizance whatever of the changes that had occurred; such a course even failed to reflect the progress of the Council's work. As the representative of the United States had pointed out, a most significant date had been fixed: a date for the establishment of an organ which would really give a voice to the people of the Territory.

46. Mr. CORNER (New Zealand), speaking as a member of the Drafting Committee, said that paragraph 16 as it stood reflected an attempt to put together the various elements involved in the situation in a balanced form. Its wording was essentially the same as had been adopted by the Council the previous year, and he for his part would not support any of the proposed changes.

47. Mr. McCARTHY (Australia) noted that in the proposed text it was the Administering Authority which was urged to establish the target dates for the advancement of the Territory. The Australian delegation had, however, consistently maintained that it was not for the United Nations, or for the Administering Authority or for any country to take such decisions, but for the people themselves. Therefore the United States amendment, to the effect that plans and programmes should be developed in consultation with the people, corresponded more to the position of Australia.

48. The PRESIDENT put the Soviet amendment to the vote.

The amendment was rejected by 3 votes to 2, with 3 abstentions.

The United States amendment was adopted by 4 votes to 2, with 2 abstentions.

Paragraph 16, as amended, was adopted by 5 votes to 1, with 2 abstentions.

49. Miss BROOKS (Liberia) wished to state that the United States amendment had defeated the efforts

made by the Council and by the Members of the United Nations over a period of years with respect to the Trust Territory. Advancement had not been equal in the three Territories which the Council had discussed, and New Guinea had advanced the least. That was why the Liberian delegation had abstained in the vote on paragraph 16.

50. Mr. FOTIN (Union of Soviet Socialist Republics), commenting on the statement of the representative of Australia, said that there would indeed be no reason to repeat the recommendations made by the Council at previous sessions if those recommendations had been carried out. With regard to the establishment of "realistic target dates", the only solution was to ask the Administering Authority once again to do what it had not done in previous years. That was why the Soviet delegation, and other delegations too, had found themselves obliged to ask that the Council should reiterate its previous recommendations.

51. As the Soviet delegation considered that the amendment submitted by the representative of the United States radically changed the tenor of paragraph 16, it had voted against that paragraph as a whole, as modified by the adoption of the United States amendment.

52. Mr. YATES (United States of America) assured the members of the Council that the United States delegation had not submitted its amendment with the intention of delaying the political advancement of the Territory. In fact, a very significant advance had been made: a legislature had been established whose members would be elected. It was necessary to give that legislature an opportunity to express its views and to undertake the political activities which the Trusteeship Council had always desired such a legislature to undertake. It was for that reason that the words "establish" and "target dates" had been deleted. The word "establish" had implied that political advancement had not yet begun, but such advancement was a fact. All that had been required, therefore, was to encourage the Administering Authority to continue to implement such advancement. The Administering Authority would pursue its endeavours within the framework of the contemplated "plans and programmes".

53. Miss BROOKS (Liberia) drew the attention of the United States representative to the fact that the "plans and programmes" concerned had not yet come into effect.

54. Mr. FOTIN (Union of Soviet Socialist Republics) said that if any political advances had been made in the Territory, they were not in conformity with resolution 1514 (XV).

55. The PRESIDENT then put to the vote the recommendation in paragraph 4 of the report (T/L.1066).

That recommendation was adopted by 6 votes to none, with 2 abstentions.

The draft recommendations and conclusions in the Drafting Committee's report (T/L.1066), as amended, were adopted as a whole by 6 votes to none, with 2 abstentions.

56. The PRESIDENT said that the Secretariat had not had sufficient time to issue a document setting forth the observations of members of the Council representing their individual opinion, for inclusion in the chapter on the Trust Territory; he therefore suggested that the Council should approve the obser-

vations in the unofficial form in which they had been circulated to members, it being understood that delegations would communicate to the Secretariat any corrections to the summaries of their statements which they considered necessary.

It was so decided.

57. The PRESIDENT said that in the absence of any objection he would consider the chapter on New Guinea to be included in the Council's report to the General Assembly adopted as a whole.

It was so decided.

Examination of conditions in the Trust Territory of the Pacific Islands: annual report of the Administering Authority for the year ended 30 June 1962 (T/1611, T/L.1056 and Add.1, T/L.1059, T/L.1062, T/L.1068) (concluded)

[Agenda item 4 (b)]

REPORT OF THE DRAFTING COMMITTEE ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS (T/L.1062, T/L.1068) (concluded)

58. The PRESIDENT invited the Council to consider the draft recommendations and conclusions in the annex to the Drafting Committee's report (T/L.1062) paragraph by paragraph. He also drew the Council's attention to the Soviet Union amendments in document T/L.1068.

59. Mr. FOTIN (Union of Soviet Socialist Republics) said that, before submitting the Soviet Union amendments to the Drafting Committee's report, he would like to recall that at the 1222nd meeting he had referred to a statement made by the representative of the United States on 9 October 1961, at the sixteenth session of the General Assembly, on the position of the United States with regard to the examination of conditions in the Trust Territory of the Pacific Islands by United Nations organs. That statement could be found in a United States Press release, No. 3788 or 3789, and also in the summary record of the 1162nd meeting of the Fourth Committee, where the United States representative was reported as saying that the United States had never opposed an examination of the question of the Territory by the Security Council, and that the problem could be submitted to the Council at any time. It was necessary to recall that statement before the Council examined draft resolution T/L.1069, which the USSR delegation had submitted at the previous meeting.

60. Turning to his delegation's amendments (T/L.1068) to the Drafting Committee's report (T/L.1062), his delegation supported the Drafting Committee in its statement in paragraph 1 of the annex that certain recommendations of the Council had not yet been fully implemented. It went further than that, however, since it considered that a great many of the Council's recommendations had not been carried out. It therefore proposed, in its first amendment to paragraph 1 (T/L.1068, para. 1 (a)) that the recommendations made at previous sessions which the Administering Authority had failed to carry out should be listed. The list would include the recommendation concerning the establishment of realistic target dates.

61. The Soviet Union's second amendment to paragraph 1 (T/L.1068, para. 1 (b)) called for the deletion of the word "fully", for his delegation considered

that many recommendations of the Council had not been implemented at all.

62. Mr. Chiping H. C. KIANG (China) explained, on behalf of the members of the Drafting Committee, that the recommendations referred to in the second sentence of paragraph 1 of the annex to document T/L.1062 concerned war damage claims and land claims. The question of the establishment of realistic target dates had not been neglected; it was dealt with in paragraph 38.

63. Mr. YATES (United States of America) remarked that the first amendment of the Soviet Union showed that the USSR representative had not wished to take into account the explanations which had been given to the Council concerning the Territory. The record sustained the fact that a legislative council was on the point of being established, the number of Micronesians in the higher administrative posts had increased, and the United States Congress had under consideration a bill which would provide for the granting of compensation.

64. Miss BROOKS (Liberia) considered that while paragraph 1 referred to the points raised in the Soviet amendment, it did not enumerate them. The Administering Authority might be requested to make a report on the question, a step that would emphasize its importance.

65. Mr. FOTIN (Union of Soviet Socialist Republics) reminded the United States representative that at its twenty-ninth session, the Council had recommended that Micronesians should be appointed to positions of high administrative responsibility, such as those of district and assistant district administrator (S/5143, para. 47). The United States representative could not claim that the recommendation had been carried out inasmuch as only one Micronesian had been so appointed, to a post of assistant district administrator.

The first Soviet amendment to paragraph 1 (T/L.1068, para. 1 (a)) was rejected by 6 votes to 1, with 1 abstention.

The second Soviet amendment to paragraph 1 (T/L.1068, para. 1 (b)) was rejected by 6 votes to 2.

66. Mr. FOTIN (Union of Soviet Socialist Republics) requested a separate vote on the first sentence of paragraph 1 (T/L.1062, annex).

The first sentence of paragraph 1 was adopted by 6 votes to 1, with 1 abstention.

Paragraph 1 as a whole was adopted by 6 votes to none, with 2 abstentions.

Paragraph 2 was adopted by 6 votes to none, with 2 abstentions.

Paragraph 3 was adopted by 7 votes to none, with 1 abstention.

67. Mr. FOTIN (Union of Soviet Socialist Republics) said that he was submitting two amendments to the text of paragraph 4 (T/L.1068, para. 2) because he considered that, in its efforts to resolve the problem, the United States had not acted entirely in conformity with the relevant recommendations made by the Trusteeship Council at its twenty-seventh and twenty-ninth sessions.

The first Soviet amendment to paragraph 4 (T/L.1068, para. 2 (a)) was rejected by 4 votes to 1, with 2 abstentions.

The second Soviet amendment to paragraph 4 (T/L.1068, para. 2 (b)) was rejected by 7 votes to 1.

Paragraph 4 (T/L.1062, annex) was adopted by 7 votes to none, with 1 abstention.

68. Mr. FOTIN (Union of Soviet Socialist Republics) recalled that during the general debate and during the question-and-answer period, the Soviet delegation had drawn attention to certain events; those events were clearly reflected in the Soviet amendment calling for the insertion of a new paragraph after paragraph 4 (T/L.1068, para. 3). The Council should take note of the Administering Authority's statement that the population of the Territory had expressed concern with regard to the nuclear and thermo-nuclear tests. The Council could not, moreover, ignore the fact that the Administering Authority had shown indifference regarding the plans of certain Powers to carry out such tests in the Pacific area.

69. Mr. YATES (United States of America) considered that the proposed new paragraph was totally unwarranted. The Administering Authority had stated, and not only at the current session, that the inhabitants of the Territory were opposed to all nuclear tests. In that connexion, the Council need only recall the statement made by the representative of New Zealand at the 1211th meeting to realize that the paragraph was unnecessary.

70. With regard to the Administering Authority's alleged indifference to nuclear and thermo-nuclear tests, he emphasized that the President of the United States, in a recent statement, had announced that the United States was imposing a voluntary ban on nuclear tests and would continue the ban until it was broken by others Powers. A similar statement had not been forthcoming from the representative of the Soviet Union or from his Government.

71. Mr. FOTIN (Union of Soviet Socialist Republics) asked the United States representative whether he considered the first part of the Soviet amendment to be valid.

72. Mr. YATES (United States of America) thought that the entire amendment should be rejected.

73. Miss BROOKS (Liberia) said that it was her recollection that the first part of the Soviet amendment had been confirmed by the United States representative. The question raised in the second part had given rise to some controversy. Since the two questions were interrelated, she preferred not to participate in the vote.

The Soviet amendment (T/L.1068, para. 3) was rejected by 6 votes to 1.

74. Miss BROOKS (Liberia) requested that the words "The Council applauds" at the beginning of paragraph 5 (T/L.1062, annex) should be replaced by "The Council takes note of".

75. Mr. Chiping H. C. KIANG (China) pointed out that as early as 1956 the Administering Authority had succeeded in establishing relations of mutual and sympathetic understanding with all sectors of the population. That fact had been confirmed by all the visiting missions which had gone to the Territory. During the present session, the representative of Liberia herself had recognized that harmonious relations existed between the Administering Authority and the Micronesians. Paragraph 5 reflected the sentiments of the Council. With regard to the sug-

gestion made by the representative of Liberia, his delegation would agree to replacing the words "The Council applauds" by "The Council notes with satisfaction".

The Liberian amendment, as amended, was adopted by 7 votes to none, with 1 abstention.

Paragraph 5, as amended, was adopted by 5 votes to none, with 2 abstentions.

76. Mr. FOTIN (Union of Soviet Socialist Republics) said that his delegation had felt compelled to submit its amendment to paragraph 6 (T/L.1068, para. 4) because the principal task of the Administering Authority was that defined in the United Nations Charter, the Trusteeship Agreement and resolution 1514 (XV).

77. Mr. CORNER (New Zealand) noted that the Soviet amendment gave the impression that it followed from the provisions of the Charter, the Trusteeship Agreement and resolution 1514 (XV) that the principal task of the Administering Authority was the immediate transfer of power to the people of the Territory. Article 76 of the Charter stated that the purpose of the Trusteeship System was to promote the "progressive development towards self-government or independence as may be appropriate to the particular circumstances of each Territory...". The Article made no mention of an "immediate" transfer.

The Soviet amendment (T/L.1068, para. 4) was rejected by 6 votes to 1.

Paragraph 6 (T/L.1062, annex) was adopted by 6 votes to none, with 2 abstentions.

78. Miss BROOKS (Liberia) proposed the addition of the following sentence at the end of paragraph 7: "The Council refers to the observations of the 1961 Visiting Mission regarding the unofficial plebiscite held in Saipan and takes note of the acknowledgement of the Administering Authority that the questions as put by the inhabitants of Saipan did not fully reflect the basic objectives of Article 76 b of the United Nations Charter."

The Liberian amendment to paragraph 7 was adopted by 5 votes to none, with 3 abstentions.

Paragraph 7, as amended, was adopted by 6 votes to none, with 1 abstention.

79. Mr. FOTIN (Union of Soviet Socialist Republics), speaking of his delegation's amendment calling for the insertion of a new paragraph after paragraph 7 (T/L.1068, para. 5), said that the amendment was warranted because there was a need to expand contacts between the population of the Territory and the neighbouring territories, to create open ports and to adopt other similar measures in order to enable the population to understand more fully its own internal problems and world problems.

80. Mr. YATES (United States of America) said that his delegation would accept the Soviet amendment, provided that the words "the creation of open ports and other similar measures" were deleted. That phrase was too vague; the only concrete measure suggested was the creation of "open ports", and there was no way of knowing whether it could be considered.

81. Mr. FOTIN (Union of Soviet Socialist Republics) said that he was glad to note that the Soviet amendment did not give rise to any serious objections on the part of the United States delegation. He explained that the creation of open ports would improve the

economic situation of the Territory. Trade would promote friendly relations between nations and peoples and would lead to closer contacts between the population of the Territory and the peoples of other territories. The measures suggested would inevitably have a positive effect on the Territory's development.

82. Mr. YATES (United States of America) thought that the matter of open ports was one that should appropriately be left to the new Legislative Council for decision because a question of revenues was involved. The visiting missions and the Trusteeship Council itself had recognized in the past that the people should decide how to obtain revenues for the Territory. He accordingly felt that the question should be considered by the Legislative Council. The Administering Authority would nevertheless be very happy to inform the Council of the Soviet delegation's suggestions.

83. Mr. FOTIN (Union of Soviet Socialist Republics), in order better to explain the intention of his proposal, recalled that at the present session of the Trusteeship Council, the representative of the Administering Authority had said that measures had been taken to develop tourism. The development of tourism presupposed the establishment of certain conditions, one of which was the creation of ports through which tourists could enter the Territory.

84. Mr. YATES (United States of America) said that while some countries established open ports for the purpose of attracting tourists, other did not consider it necessary to do so since tourists came in any case. He repeated that, in his view, any decision on the matter should be left to the Legislative Council.

85. Miss BROOKS (Liberia) said that she would vote for the Soviet amendment.

86. The PRESIDENT put to the vote the United States sub-amendment calling for the deletion of the words "the creation of open ports and other similar measures" from the Soviet amendment.

The United States sub-amendment was adopted by 5 votes to none, with 3 abstentions.

The Soviet amendment (T/L.1068, para. 5), as amended, was adopted by 2 votes to none, with 6 abstentions.

87. Mr. FOTIN (Union of Soviet Socialist Republics) noted that the Soviet amendment just adopted by the Council had the effect of inserting a new paragraph 8. His delegation was proposing the addition of a further paragraph (T/L.1068, para. 6) which it wished inserted in sub-section (a), "The Council of Micronesia", before the paragraph 8 submitted by the Drafting Committee. His delegation was making its proposal because the Council of Micronesia continued to be essentially an advisory body without any real powers.

88. Mr. YATES (United States of America) said that the Soviet representative's statement was contradicted by the facts, since a legislative body having legislative powers had been established.

The Soviet amendment (T/L.1068, para. 6) was rejected by 6 votes to 1, with 1 abstention.

89. Miss BROOKS (Liberia) explained that she had abstained from the vote because the Council of Micronesia was to some extent an advisory body. However, it should not be said that the Trusteeship Council was "compelled to" repeat the observation it had made at its twenty-ninth session.

Paragraph 8 (T/L.1062, annex) was adopted by 5 votes to none, with 2 abstentions.

Paragraph 9 was adopted by 6 votes to none, with 2 abstentions.

Paragraph 10 was adopted by 6 votes to none, with 2 abstentions.

Paragraph 11 was adopted by 7 votes to none, with 1 abstention.

Paragraph 12 was adopted by 6 votes to none, with 2 abstentions.

90. The PRESIDENT noted that, at the suggestion of the Chinese representative, the words "the transfer of the provisional capital to the Territory", at the end of the first sentence in the English text of paragraph 13, had been replaced by the words "the establishment of the provisional capital in the Territory".

Paragraph 13, as amended, was adopted by 6 votes to none, with 2 abstentions.

Paragraph 14 was adopted by 7 votes to none, with 1 abstention.

91. Mr. FOTIN (Union of Soviet Socialist Republics) said his delegation proposed (T/L.1068, para. 7) that under the sub-heading "Public service..." a new paragraph should be inserted mentioning the failure of the Administering Authority to carry out the recommendation made at the twenty-ninth session concerning the appointment of Micronesians to positions of "high administrative responsibility" (S/5143, para. 47).

92. Mr. YATES (United States of America) said that the Soviet amendment was not justified.

The Soviet amendment (T/L.1068, para. 7) was rejected by 5 votes to 2.

93. Miss BROOKS (Liberia) said that she would have preferred to see the word "fully" inserted in the Soviet amendment after the words "has not carried out".

94. Mr. FOTIN (Union of Soviet Socialist Republics), referring to paragraph 15 of the annex to the Drafting Committee's report (T/L.1062), asked for separate votes on the words "with satisfaction" and on the words "continued significant progress".

The words "with satisfaction" were adopted by 6 votes to 1, with 1 abstention.

The words "continued significant progress" were adopted by 7 votes to 1.

Paragraph 15 as a whole was adopted by 5 votes to none, with 3 abstentions.

95. At the request of Mr. FOTIN (Union of Soviet Socialist Republics), the PRESIDENT put paragraphs 16, 17 and 18 to the vote simultaneously.

Paragraphs 16, 17 and 18 were adopted by 6 votes to none, with 2 abstentions.

Paragraph 19 was adopted by 7 votes to none, with 1 abstention.

96. At the request of Mr. FOTIN (Union of Soviet Socialist Republics), the PRESIDENT put paragraphs 20, 21 and 22 to the vote simultaneously.

Paragraphs 20, 21 and 22 were adopted by 6 votes to none, with 2 abstentions.

97. Miss BROOKS (Liberia) said that she had voted for the three paragraphs taken as a whole. While she

had no objection to their content, she felt that the manner of the presentation was somewhat lacking in seriousness. It was proper to express satisfaction when that was called for, but to do so too often tended to weaken the report as a whole.

Paragraph 23 was adopted by 5 votes to none, with 2 abstentions.

98. Mr. FOTIN (Union of Soviet Socialist Republics) referred to his delegation's amendment calling for the insertion of a new paragraph after paragraph 23 (T/L.1068, para. 8) and said he would like to delete the word "extremely" in the first sentence; it was superfluous since the remainder of the text adequately described the existing situation. His delegation considered the insertion of the new paragraph necessary because it felt that 4 per cent was too high a rate of interest for indigenous borrowers. The United States representative would no doubt reply that in other Territories, particularly in New Guinea, the rate of interest went as high as 4.5 or 5 per cent, but that was not a valid argument. The second part of the new paragraph concerned supervision of the activities of United States companies and private citizens. His delegation had already explained its position on that question (1213th meeting) and would not go into it again at the present time.

99. Mr. YATES (United States of America) said that he would not compare the rates of interest charged in the various Territories. However, the rate of interest in the United States was higher than that charged in the Territory, which, if he was not mistaken, provided funds for additional loans.

100. His delegation wished to make it clear to the Soviet delegation that United States companies and citizens engaging in activities abroad had to pay taxes both to the local Government and to the United States Government and that that principle applied to the Territory. His delegation would vote against the amendment.

The Soviet amendment (T/L.1068, para. 8), was rejected by 6 votes to 1, with 1 abstention.

Paragraph 24 (T/L.1062, annex) was adopted by 7 votes to none, with 1 abstention.

101. At the request of Mr. FOTIN (Union of Soviet Socialist Republics), the PRESIDENT put paragraphs 25 and 26 to the vote simultaneously.

Paragraphs 25 and 26 were adopted by 7 votes to none, with 1 abstention.

Paragraph 27 was adopted by 6 votes to none, with 2 abstentions.

Paragraph 28 was adopted by 7 votes to none, with 1 abstention.

Paragraph 29 was adopted by 7 votes to none, with 1 abstention.

Paragraph 30 was adopted by 6 votes to none, with 2 abstentions.

Paragraph 31 was adopted by 7 votes to none, with 1 abstention.

Paragraph 32 was adopted by 6 votes to 1, with 1 abstention.

102. In reply to a question by Mr. FOTIN (Union of Soviet Socialist Republics), the PRESIDENT said that he intended to take up the Soviet draft resolution (T/

L.1069) after the adoption of the report of the Drafting Committee. He drew the Council's attention to the Soviet amendment calling for the insertion of a new paragraph with the sub-heading "Race relations" in the section entitled "Social advancement" (T/L.1068, para. 9).

103. Mr. FOTIN (Union of Soviet Socialist Republics) said that in the circumstances such a recommendation to the Administering Authority was necessary. It was clear from Mr. Hosmer's petition (T/PET.10/35) that there had been racial discrimination in the Territory.

104. Mr. YATES (United States of America) recalled that at his hearing by the Council (1212th meeting) Mr. Hosmer had replied to the Soviet representative that the United States Government had dealt with the problems of discrimination. It should also be noted that in paragraph 5 of the annex to the report, as just adopted in its amended form, the Council noted with satisfaction the good relationship which clearly existed between the Administering Authority and the inhabitants of the Territory. His delegation would vote against the amendment.

105. Mr. FOTIN (Union of Soviet Socialist Republics) said that, as he recalled, the petitioner had simply expressed the hope that the Administering Authority has taken appropriate steps to put an end to racial segregation during the time he had been away from the Territory. There was therefore every reason to ask for fuller information on the specific measures that had been taken in that regard.

106. Mr. YATES (United States of America) said it was his recollection that Mr. Hosmer had expressed the conviction that the United States Government had dealt with the matter. Mr. Hosmer's remarks had applied to one club where segregation had been practised, and the High Commissioner had pointed out that the necessary action had been taken to put an end to that situation. Visiting missions to the Territory had found no racial discrimination of any kind, and the question could be examined by the next visiting mission.

107. Mr. FOTIN (Union of Soviet Socialist Republics) said that when Mr. Hosmer had expressed the conviction or hope that the Administering Authority had taken steps to eliminate racial discrimination, that had been to some extent an act of faith in the United States administration. Mr. Hosmer had spent only two months in the Trust Territory in 1960, and the Council had heard him in 1963. The existence of even a single club practising segregation in a Trust Territory showed that there was racial discrimination. His delegation welcomed the United States representative's proposal that the United Nations Visiting Mission to the Trust Territory of the Pacific Islands, 1964, should examine the problem.

108. Mr. YATES (United States of America) observed firstly, that, if Mr. Hosmer had had faith in the United States Government, his faith had been justified. Secondly, he pointed out that he had not proposed that the Visiting Mission should make a special study of that question, as it was one which would undoubtedly be examined together with the other problems which the Mission had been instructed to study.

The Soviet amendment (T/L.1068, para. 9) was rejected by 5 votes to 2, with 1 abstention.

Paragraph 33 was adopted by 5 votes to none, with 2 abstentions.

Paragraph 34 was adopted by 6 votes to none, with 1 abstention.

109. The PRESIDENT drew attention to the two new paragraphs which the Soviet delegation proposed should be inserted before paragraph 35 (T/L.1068, para. 10).

110. Mr. FOTIN (Union of Soviet Socialist Republics) said that the paragraphs contained two rather different ideas. In paragraph (a), the Council would take note of the statement by Mr. Santos, whereas in paragraph (b) it would recommend the Administering Authority to reconsider its position concerning scholarships offered under the United Nations programme.

111. Mr. YATES (United States of America) observed that although Mr. Santos had said that an increasing number of young people sought higher education, he had nevertheless added that the Government of the Trust Territory was aware of the problem and had, during that year, increased the number of scholarships in order to meet the need. Thus, the Soviet delegation had distorted Mr. Santos' position.

112. Mr. FOTIN (Union of Soviet Socialist Republics) did not think Mr. Santos had meant that the Administering Authority had done everything necessary to meet the needs in that field or that a sufficient number of scholarships had been available for indigenous young people who wished to obtain a higher education.

113. Miss BROOKS (Liberia) said she did not have the impression that the United States Government was refusing to make use of the higher education opportunities offered to the indigenous population. However, she would like the United States delegation to clarify its Government's position somewhat and state whether the United States, as the Administering Authority, agreed with the general principle that the inhabitants of the Trust Territory which it was administering could accept higher education scholarships offered by Member States.

114. Mr. YATES (United States of America) said that, broadly speaking, the answer to the question was Yes.

115. Mr. FOTIN (Union of Soviet Socialist Republics) said that paragraph (b) of the Soviet amendment was not based on Mr. Santos' statement; it was a conclusion concerning a situation which had existed in the Trust Territories since the very inception of the United Nations scholarship programme.

The Soviet amendment (T/L.1068, para. 10) was rejected by 6 votes to 1, with 1 abstention.

116. Miss BROOKS (Liberia) said she had abstained because paragraph (a) of the amendment had done no more than quote Mr. Santos' words.

117. At the request of Mr. FOTIN (Union of Soviet Socialist Republics), the PRESIDENT put paragraphs 35, 36 and 37 of the annex to the Drafting Committee's report (T/L.1062) to the vote simultaneously.

Paragraphs 35, 36 and 37 were adopted by 6 votes to none, with 2 abstentions.

118. Miss BROOKS (Liberia) said that her delegation would have abstained if paragraph 37 had been put to the vote separately. In her opinion, the Council should have confined itself to noting the statement of the Administering Authority.

119. The PRESIDENT drew attention to the two new paragraphs which the Soviet delegation proposed should be inserted before paragraph 38 (T/L.1068, para. 11).

120. Mr. FOTIN (Union of Soviet Socialist Republics) considered that the two paragraphs accurately reflected the existing situation. The object of the first (para. (a)) was to confirm the statement which the representative of the Administering Authority had made to the Trusteeship Council. The second paragraph (para. (b)) reaffirmed the recommendation which the Council had made to the Administering Authority at its twenty-ninth session.

121. Mr. YATES (United States of America) said, with reference to paragraph (a), that the Soviet delegation had again distorted the position of his delegation. As far as paragraph (b) was concerned, he observed that just as in New Guinea, important changes had occurred in the Trust Territory of the Pacific Islands since the last session of the Council. For example, a legislative council was being set up which would have an opportunity to set a date for the exercise of self-determination.

122. Mr. CORNER (New Zealand) pointed out that in its quotation of the Council's recommendation the Soviet delegation had omitted the phrase: "in consultation with the representative organs of public opinion in the Territory" (S/5143, para. 183); he wished to know the reason for that omission.

123. Mr. FOTIN (Union of Soviet Socialist Republics) replied that it was a mistake and suggested that those words should be inserted at the end of paragraph (b).

124. Mr. McCARTHY (Australia) considered that since paragraph (a) of the Soviet amendment was based on a statement by the Administering Authority, the text of that statement should be faithfully reproduced. His delegation wished to point out once again that the fixing of target dates for the last stages in the political advancement of a Territory was not an absolute prerogative of the Administering Authority; the Territory's inhabitants surely had a say in the matter. He proposed that paragraph (a) should be amended to read as follows: "The Council notes the statements of the Administering Authority that the essential elements of General Assembly resolution 1514 (XV), including its operative paragraphs 2 and 5, when taken in context with Article 76 of the Charter, are fully applicable to the Trust Territory of the Pacific Islands." His delegation hoped that it had correctly interpreted the position of the United States delegation.

125. Miss BROOKS (Liberia) wished to know what the Australian representative meant by "the essential elements" of the Declaration on the granting of independence to colonial countries and peoples.

126. Mr. McCARTHY (Australia) said that what he had in mind were the immediate steps which should be taken in the context of the Declaration itself and the freely expressed wishes of the people.

127. Mr. FOTIN (Union of Soviet Socialist Republics) declared that he was unable to accept the sub-amendment proposed by the representative of Australia because it would represent a step backwards. As far as he could remember, the United States representative had said at the twenty-ninth session that the essential elements of the Declaration extended to the

Territory; at the thirtieth session, however, he had gone further than that and had admitted that the Declaration itself, and particularly paragraphs 2 and 5, extended to the Territory.

128. Mr. YATES (United States of America) said that he would state once again the position of the United States Government, so that there might be no misunderstanding in that respect. The United States considered that the essential elements of resolution 1514 (XV) were applicable to the Trust Territory. It fully agreed with the provisions of paragraph 2 of that resolution and had taken immediate steps to stimulate the political development of the Territory in the direction of increased self-government with a view to giving the people of the Territory a free choice with respect to their political future. The United States Government thus considered that its policy with regard to the Trust Territory was entirely consistent with the main policy recommendations contained in resolution 1514 (XV). The United States delegation would like to point out, however, that some of the phraseology of that resolution, such as the word "colonialism" and the term "alien subjugation, domination and exploitation", were completely inappropriate to the situation prevailing in the Trust Territory. The United States delegation would remind the Soviet Union delegation that it endorsed paragraphs 2 and 5 of resolution 1514 (XV) and that that statement was to be accepted in conjunction with the appropriate provisions of the Charter, particularly with Article 76. For all those reasons, the United States delegation was opposed to paragraphs (a) and (b) of the Soviet amendment.

129. Mr. CORNER (New Zealand) said that he would vote against paragraph (a) and in favour of paragraph (b) as amended. He thought that the word "planned" before the word "dates" in paragraph (b) was unnecessary and he would like the word "again" before the words "requests the Administering Authority" to be deleted. He therefore asked for a separate vote on the words "planned" and "again".

130. Miss BROOKS (Liberia) said that she would abstain in the vote on paragraph (a) because there was some misunderstanding about the passage that was quoted. However, her delegation upheld the statement that the Declaration did extend to the Trust Territory. She would vote in favour of paragraph (b) as amended. She thought that the word "planned" should be retained.

131. Mr. FOTIN (Union of Soviet Socialist Republics) said that the United States representative's statement simply confirmed the view put forward by the Soviet delegation. He pointed out that the draft recommendations made a number of references to statements by the Administering Authority and it seemed odd that the United States representative should object to his delegation's own statements being quoted.

132. Mr. YATES (United States of America) said that he still considered that it served no useful purpose to quote statements by a member of the Council. In order to explain his position he read out some parts of a statement that he had made at an earlier meeting (T/PV.1211, pp.2 and 3-5), in which he had made it clear that paragraph 5 and paragraph 2 of resolution 1514 (XV) should be interpreted in the context of the Articles of the Charter.

133. Miss BROOKS (Liberia), supported by Mr. McCARTHY (Australia), announced that she would not

vote in favour of the amendment if it did not accurately reproduce what the United States representative had said.

134. Mr. YATES (United States of America) explained that he objected to having his point of view interpreted by the delegation of the Soviet Union in the brief context of paragraph (a) of the Soviet amendment. He considered, however, that the sub-amendment proposed by the Australian representative to the Soviet text generally reflected the United States point of view.

135. The PRESIDENT put the Australian representative's oral sub-amendment to paragraph (a) of the Soviet Union amendment (T/L.1068, para. 11) to the vote.

The Australian sub-amendment was adopted by 3 votes to none, with 4 abstentions.

A vote was taken on paragraph (a) as amended.

There was 1 vote in favour and 1 against, with 5 abstentions.

After a brief recess in accordance with rule 38 of the rules of procedure of the Trusteeship Council, a second vote was taken.

Paragraph (a), as amended, was rejected by 1 vote to none, with 6 abstentions.

136. Mr. COTTRELL (Secretary of the Council) read out paragraph (b) (T/L.1068, para. 11) with the addition proposed by the New Zealand representative and accepted by the sponsor.

137. The PRESIDENT recalled that the New Zealand representative had requested a separate vote on the word "planned", before "dates", and on the word "again".

The words "planned" and "again" were rejected by 4 votes to 2, with 2 abstentions.

Paragraph (b), as amended, was adopted by 5 votes to 2, with 1 abstention.

Paragraph 38 of the annex to the Drafting Committee's report (T/L.1062) was adopted by 6 votes to 1, with 1 abstention.

Paragraph 39 was adopted by 6 votes to none, with 2 abstentions.

The recommendations in paragraph 4 of the report (T/L.1062) were adopted by 7 votes to none, with 1 abstention.

The draft recommendations and conclusions in the report (T/L.1062), as amended, were adopted as a whole by 6 votes to none, with 2 abstentions.

138. The PRESIDENT said that the document containing the summaries of observations of members of the Council representing their individual opinions only, for inclusion in the chapter on the Territory, had not yet been issued; ^{1/} he therefore suggested that the Council should approve the observations in the unofficial form in which they had been circulated to members, it being understood that delegations would communicate to the Secretariat any corrections to their statements which they considered necessary.

It was so decided.

139. Mr. Chiping H. C. KIANG (China), referring to what the Liberian representative had said earlier in

the meeting about the Drafting Committee's report, said that the votes on the recommendations, including the votes of the Liberian delegation, showed that the Drafting Committee had not failed in its duty but had faithfully discharged its task.

DRAFT RESOLUTION T/L.1059

140. Mr. YATES (United States of America) said that he considered draft resolution T/L.1059 inappropriate. The Council's recommendation, in resolution 2135 (XXIX), called for a resort to arbitration if the agreement of the claimants to the settlement procedure proposed by the Administering Authority failed to be achieved. A proposal for the method of payment was under consideration by the United States Congress but had not yet been approved. Thus, as the question was still pending and since the claimants had had no opportunity either to accept or reject it, the draft resolution was inappropriate and should be rejected.

141. Mr. McCARTHY (Australia) thought that the reference to resolution 2135 (XXIX) in the third preambular paragraph of the draft resolution was unnecessary. Moreover, the United States representative had told the Council that the matter was before the courts and the reference to arbitration was consequently inappropriate. The Australian delegation would therefore vote against the draft resolution.

142. Mr. FOTIN (Union of Soviet Socialist Republics) pointed out that in voting against the Soviet Union draft resolution members of the Council would be voting against the resolution that the Trusteeship Council had adopted on that same question at its previous session. At that time the Council had agreed upon the need for arbitration and it should be noted that despite all the resolutions adopted on the subject the Administering Authority had not complied with the Council's recommendations. Indeed, the position that the United States delegation had taken during the present session showed clearly that the United States had no intention of complying with those recommendations. The question had been before the Council since 1959. The only new factor was the proposal that had been placed before the United States Congress, but there was no prospect of a rapid solution since the question was still before the United States courts. The statements the United States representative had made could only be interpreted as a fresh attempt to divert the attention of the Trusteeship Council. The Council could not disregard the abnormal situation that had thus been created.

143. Miss BROOKS (Liberia) said that she could not see any real difference between the views of the United States and Soviet representatives. The essential thing in her opinion was that the question should be settled without delay.

144. Mr. McCARTHY (Australia) proposed an oral amendment deleting the third preambular paragraph and altering the operative paragraph to read: "Urges the Administering Authority to expedite a decision in the matter in keeping with the concern expressed in the above-mentioned resolutions of the Trusteeship Council".

145. Mr. FOTIN (Union of Soviet Socialist Republics) recalled that in resolution 2135 (XXIX) the Council had expressed the hope that the Administering Authority would be able to report satisfactory settlement of the question at the thirtieth session of the Council. The Council had already been obliged to

^{1/} Subsequently issued as T/L.1070.

concern itself with the problem on three occasions, and had suggested various methods for solving it. His delegation could not accept the Australian representative's suggestion; the fact that no effect had been given to resolution 2135 (XXIX) or to the other two resolutions on the subject, which were mentioned in the second preambular paragraph, could not be overlooked. The third paragraph must therefore be retained in the draft resolution.

146. Mr. YATES (United States of America) said there was every hope that legislation in that matter would be enacted by the United States Congress in the near future. In addition, it was proposed under the relevant bill that representatives of the United States Court of Claims would go to the Trust Territory in order to conduct the hearings of claims of inhabitants. In his opinion, the amendment proposed by the representative of Australia was entirely appropriate.

147. Mr. FOTIN (Union of Soviet Socialist Republics) pointed out that the inhabitants of the Territory would in any event be placed under the jurisdiction of a United States court and would thus not be in a privileged position.

148. Mr. Chiping H. C. KIANG (China) said that with the adoption, earlier in the meeting, of the recommendations in paragraph 32 of the annex to the Drafting Committee's report (T/L.1062), draft resolution T/L.1059 had ceased to be relevant.

149. Miss BROOKS (Liberia) said that she was opposed to the amendment submitted by the representative of Australia, for it would delete a reference to a recommendation of the Council which had not been fulfilled.

The Australian oral amendment was adopted by 4 votes to 2, with 2 abstentions.

The draft resolution (T/L.1059), as amended, was adopted as a whole by 5 votes to none, with 3 abstentions.

Adoption of the report of the Trusteeship Council to the Security Council (T/L.1063, T/L.1069) (continued)

[Agenda item 12]

150. Mr. KING (United Kingdom) said that it was difficult for him to understand the need for the USSR draft resolution (T/L.1069), because it did not seem that the Trusteeship Council should dictate to the Security Council what the latter should do.

151. Mr. FOTIN (Union of Soviet Socialist Republics) pointed out that the Security Council, which was ultimately responsible for the Trust Territory of the Pacific Islands, had not examined the situation in that Territory since 1947, in other words, since the United States had accepted the responsibility for administering the Territory. Numerous delegations, particularly in the Fourth Committee, had also pointed out that the question of the Trust Territory should be placed before the Security Council so that the actions of the Administering Authority might be scrutinized.

152. Mr. YATES (United States of America) said that, in his opinion, the draft resolution implied that the Administering Authority had been remiss in fulfilling its mission and that the Trusteeship Council had been unable to take any effective action. The Soviet Union completely disregarded the shining record of the Trusteeship Council in having brought

to independence a number of Territories which now proudly graced the membership of the United Nations. In the Soviet Union's view, all roads led to the Security Council. However, the Trusteeship Council still had much work to do, and was doing it well. There was no reason for the work of the Trusteeship Council to be referred to the Security Council; Article 83, paragraph 3, of the Charter was quite specific in that regard. The Security Council had delegated its initial responsibilities to the Trusteeship Council, and unless it recalled them, there was absolutely no justification for the Trusteeship Council relinquishing its functions.

153. Mr. CORNER (New Zealand) said that he was mystified by the Soviet representative's proposal. The Security Council could take up a question if it considered that the trust had been abused; however, it was patently clear from the report which had just been adopted that that was not the case. Article 34 of the Charter specified that the Security Council could investigate any dispute, or any situation which might lead to international friction; there was no reason for referring the question of the Trust Territory of the Pacific Islands to the Security Council, since no dispute existed. There had, moreover, been no threat to the peace, breaches of the peace or acts of aggression, as provided for in Chapter VII, in the case of the Trust Territory of the Pacific Islands.

154. If the delegation of the Soviet Union was dissatisfied with the manner in which the United States was administering the Territory, it had every right to raise the matter in the Security Council, but what it was really asking for in its draft resolution was for the members of the Trusteeship Council to associate themselves with its complaint. To do that would be to go against the whole trend of the debate and the whole tenor of the report.

155. Mr. FOTIN (Union of Soviet Socialist Republics) said, in reply to the representative of the United States, that no one would think that the Soviet Union had intended any disrespect with regard to the Trusteeship Council; on the contrary, the fact was that the representatives of the United States had failed to respect their own statements.

156. All the United States representative's remarks about how the Soviet Union regarded the functions of the Security Council and the functions of the Trusteeship Council were intended solely to divert attention. It had been noticeable for a long time that the United States was afraid to have the question of the Trust Territory brought before the Security Council. That had been apparent when the United States had been conducting nuclear tests in those Islands, and it was again apparent now that the time was approaching for the people of the Territory to have their say with regard to their future. If the United States was not afraid to have the question considered by the Security Council, its desire to evade any review of its activities by other United Nations organs needed some explaining. It was to be wondered what the United States was afraid of, if everything in the Trust Territory was going well. The question of the other Trust Territories, such as Nauru and New Guinea, was considered each year, not only by the Trusteeship Council but also by the General Assembly. But so far as the Trust Territory of the Pacific Islands was concerned, the situation was quite different, for sixteen years had passed without the Security Council's ever having been called upon to deal with the question of that Territory. Such an exception to the general

rule was in no wise justified. In his opinion, the draft resolution which had been submitted to the Council was important because it stressed that the time had come for the question of the Trust Territory of the Pacific Islands to be considered by the Security Council.

157. Mr. YATES (United States of America) stated that certain allegations to the effect that his delegation had abjured the statements made by a former representative of the United States to the Trusteeship Council were totally untrue. Such allegations were quite fanciful, for the representative in question had

specifically stated that he had no fear of the matter being considered by the Security Council. The argument of the representative of the Soviet Union merely reinforced the United States delegation's opinion, namely, that the Soviet Union obviously did not think that the Trusteeship Council should continue to consider the question.

The Soviet draft resolution (T/L.1069) was rejected by 5 votes to 1, with 2 abstentions.

The meeting rose at 8.5 p.m.