

United Nations

Nations Unies

UNRESTRICTED

TRUSTEESHIP  
COUNCIL

CONSEIL  
DE TUTELLE

T/P.V. 147  
3 March 1949

English

57

TRUSTEESHIP COUNCIL

Fourth Session

VERBATIM RECORD OF THE THIRTY-FIRST MEETING  
(Transcription from sound recording)

Lake Success, New York  
Thursday, 3 March 1949, at 2.30 p.m.

President: Mr. LIU CHIEH China

Mr. LAURENTIE (Chairman of the Visiting Mission of the Trusteeship Council to the Territories of Ruanda-Urundi and Tanganyika) (Interpretation from French): First I would thank you for the words that you used in speaking of this Visiting Mission and the part which I took in it.

I think it would be extremely useful at the outset for me to say that if the Mission met with some success, that is due particularly to my colleagues and to the members of the Secretariat. Dr. Lin Mou-sheng gave his constant attention and applied his lucid mind to all the questions <sup>that</sup> came up; Mr. Chinnery, representative of Australia, for his part contributed wide experience of overseas questions; and Mr. Woodbridge of Costa Rica brought his Latin clarity and intelligence to the cause, and with these talents it was easy for us to put something together which I think will prove useful.

/I think

I think that the report now before the Council may be very useful. The members of the Secretariat aided us constantly and with much intelligence - Mr. de la Roche, Mr. Harris, and Mr. Rapoport, to mention only three names, were always indispensable and highly useful to us. They showed a team spirit and industry which I would mention to the Council.

As regards the reports and the report on Ruanda-Urundi, which is now before the Council, I have a few words to say. It would be difficult for me to embark upon the comments which would supplement what we have already written. You have said that the report was adopted unanimously. This unanimity was obtained usually without any difficulty, but on certain points some discussion was necessary before we reached a common view.

I am afraid that I might betray the thoughts of my colleagues, two of whom unfortunately are absent, if I ventured to add anything to the conclusions and observations which form the substance of the report. Therefore, while being, of course, at the disposal of the Council for any necessary clarification, I wish to say that it would be rather difficult for me to enter upon the substance of the questions, adding anything by way of commentary than what appears in the report, after careful discussion, reflexion and drafting.

But, once again, I wish to say that <sup>I</sup> am at the disposal of the Council for clarifications of a practical, geographical and historical character, for instance, as members of the Council may desire.

The PRESIDENT: The Council is open for discussion. I hope the Council will agree that we will discuss the report chapter by chapter. I think that is the easiest.

Mr. CARPIO (Philippines): For the purpose of information, I would like to find out what we are leading up <sup>to</sup> /in making the comments suggested by the Chairman. Are we to take any definite action after we have discussed each chapter? If so, when shall we take action?

It seemed to me that some doubts had been raised yesterday by the Belgian representative from his supposed inability to participate for lack, up to now, of the observations of the Administering Authority.

However, we are faced with this document which, according to you, we are now going to comment upon, and I have been wondering what we are leading up to in making these comments. Are we to take any definite action, and if so, when? That is the question that I should like to ask, so that we may know exactly what we are going to do and how to do it.

/The PRESIDENT

The PRESIDENT: I think it is difficult for the Chair to anticipate the wishes of the Council, but I would have thought that the Council might like to discuss and examine this report in the way I have just outlined to you, and then after that the Council will be in a better position to judge itself whether it is prepared to proceed to any conclusions, or whether it feels it would be necessary to defer decisions until the comments of the local administering authorities are received.

It seems to me that that may be left to a later stage, for determination.

Mr. CARPIO (Philippines): The reason why I ask this question is because, from our experience in the examination of annual reports we have gone ahead examining one after another and later on to have the oral questioning and subsequently, after the lapse of several weeks, the general discussion, and up to now we have taken no definite action from those, except that we would have to formulate what actions to take.

In the interval of all these proceedings a lot of things might vanish from the mind, and it seems to me that we ought to follow a consistent policy of taking advantage of the freshness of the details as we discuss the matter, and get through with it, once and for all.

I have in mind particularly the petitions. We started, somehow, discussing some of them, and I was almost under the impression about two or three days ago that we had forgotten altogether a great many of these petitions that we have deferred. The way we are proceeding, it seems to me, it would be to the advantage of the Council as a whole and conduce to greater efficiency if, while we are discussing matters, we could come immediately to lines of action and regard the matter finished, once and for all.

I do not know how the Council will react to these thoughts, but I venture to put them up for any action that might be decided upon.

Mr. RYCKMANS (Belgium) (Interpretation from French): I shall be very discreet in this discussion, because I am the representative of the Administering Authority; but I would remind the Council that the attitude which I shall adopt today is exactly the same as that which I adopted when I came back from the mission to Samoa and we

/drew up



drew up a report for the Trusteeship Council. The Trusteeship Council has sent a Visiting Mission to Ruanda-Urundi. This Mission has presented its report. That is finished, the report is there, it is signed, there can be no question of altering it. It seems to me - I say it seems to me - that the only thing that the Council can usefully do, logically, now is to say to the Administering Authority "You have received the report of the Visiting Mission which visited your Territory. This report makes certain suggestions and proposals. Would you please tell me what position you have taken in respect of these suggestions?"

In some cases it is possible that the Administering Authority may say that they approve the suggestions of the Mission and will apply them in this or that manner. It is possible that on other points the Administering Authority will say that, after studying very carefully the suggestions of the Visiting Missions, unfortunately they are not able to agree with the Mission's conclusions for this or that reason, because this or that point has escaped the attention of the Mission. Evidently when one spends about three weeks in a country one cannot acquire the same knowledge of all aspects of the life of the country as somebody permanently established there.

If, therefore, on certain points the Administering Authority says that it agrees with the Visiting Mission, and that it is going to apply the Mission's suggestions, it is useless for us to discuss them here.

On the other hand, if the Administering Authority is not in agreement with the Visiting Mission and says "Why not?", I think it would be imprudent for the Council, by formulating today conclusions in conformity with or contrary to the conclusions of the Mission, to place itself in a position in which it might be at loggerheads with the Administering Authority. It may happen that you say that the Council does not support this or that proposal of the Mission, and that next you receive a statement from the local authorities that after a study of the proposals of the Mission, they are applying these suggestions. What would the position of the Council be in such a case?

/The Council

The Council will, of course, do as it wishes, but to my mind the only logical way to act would be this -- and when we got back from Samoa I said just the same. It seems to me that any discussion of the Report would be useless because we might afterwards find ourselves in a ridiculous position.

The Report is there; we cannot change it. It has been signed and sent to the Administering Authority. The Administering Authority has to take account of it, as far as it can, in its practical work.

The PRESIDENT: I need not reiterate the very great importance of this Report in relation to the operation of the trusteeship system. This is the first time that an international advisory organ has sent a Mission to a Trust Territory, apart from the special Visiting Mission that went to Western Samoa, and which produced very beneficial effects.

The Council would not wish to come to any hurried decisions, if it feels that there are points which require further information. On the other hand, I would like to remind the Council that this is a Report which is, in a way, different from the Annual Reports submitted by the Administering Authorities.

This is a Report made by a Visiting Mission appointed by the Council. It is the Council's own subsidiary body which went out there and undertook investigation on behalf of the Council, and, as I said, we are particularly fortunate that we have as Chairman to this Mission, Governor Laurentic, who is one of us. He is at the Council table, and I believe he is prepared to answer questions which members of the Council may like to ask in regard to the various sections of the Report.

I also believe that the Report has been prepared by the Visiting Mission after having been in contact with the local Administering Authorities and members of the local Administration. Therefore, many of these questions must have been discussed by the Visiting Mission with the local Administration.

It seems to me that the Council may be well advised to look into the Report; as I said, I am not prepared to anticipate what the Council will feel after examination and discussion of the Report.

I would therefore suggest that we defer this question of whether we will arrive at any conclusion during the present session or not, because that is a course which will be determined as the Council goes further into the examination of the Report itself.

The observations made by members of the Council while the materials are still fresh, as the representative of the Philippines put it, will be

/on record

on record, and if a final decision is deferred, the observations will still be on record. When the Council eventually makes its own conclusions perhaps it will revise the observations in the light of further evidence, but otherwise the Report itself is sufficient, in the sense that the Visiting Mission is in effect a smaller Council, as it were. It represents the Council as well as the members of the Council.

I think that we should look at it in a little different light from the Annual Reports submitted by the Administering Authorities.

The Council has certainly noted the observation by the representative of Belgium, and I would not advise the Council to come to any hasty conclusions. But at the same time I think there is nothing to prevent an examination of the Report as it stands.

The Visiting Mission itself has made some observations, and in the Report it has asked the Council to formulate its own conclusions and recommendations.

Whether the Council feels that it is able to do so or not, I do not believe any individual member can anticipate until we have had some discussion on it. I would therefore suggest that we proceed to discussion of the Report.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): There are a number of questions which are not clear in the Report, and therefore, according to the procedure outlined by the President, would it be proper for me to clarify these questions, with the help of the Chairman of the Visiting Mission, or do I not have the right to ask these questions?

The PRESIDENT: That would be entirely in order. I propose that we take it Chapter by Chapter; in other words, the questions would be confined for the time being to Chapter I, on political and administrative questions. After we finish that Chapter, we will go on with another Chapter.

When a representative asks a question, the Chairman of the Visiting Mission as well as the representative of the Administering Authority, may like to answer.

Mr. RYCKMANS (Belgium) (Interpretation from French): I must say that I am being placed in a rather embarrassing position. I am not here /as special representative

as special representative of Ruanda-Urundi. I am a member of the Trusteeship Council.

I am being asked here to pronounce myself upon the Report of the Visiting Mission and upon the administration of Ruanda-Urundi. I am being asked to pronounce myself upon that administration; I am not a representative but a judge of the administration, in the same way as is the representative of the USSR.

Let questions be put to the Visiting Mission, if that is desired, and if the Chairman of the Visiting Mission desires to reply to them, and feels that he can reply as Chairman or as a member of the Visiting Mission, that is his affair. We are examining the Visiting Mission's Report. Perhaps I shall put questions, as well as the representative of the USSR. But I am not here as representative of Ruanda-Urundi.

I am a representative of the General Assembly and a member of the Trusteeship Council. It is my business to judge this Report and this administration.

/The PRESIDENT

The PRESIDENT: I certainly did not place the representative of Belgium in a position where he is subject to cross-examination. I said that if he so wished he might answer questions, either from his personal knowledge or from his knowledge of the policy of his own Government. I said this as a matter of courtesy so that he would be entirely free to reply to any observation or answer any question. I am only too well aware of his position as a member of the Council to think otherwise.

Mr. RYCKMANS (Belgium): All I asked was that my colleagues in the Council should remember that I am not here as a special representative of Ruanda-Urundi, but as a member of the Council exactly in the same position as all my other colleagues.

The PRESIDENT: I think that no other member, and certainly not I myself, would think otherwise.

Mr. CARPIO (Philippines): I invite the Council's attention to page 13 of the Report, where mention is made of the general management of affairs in the Territory and the conclusion that the independence of the indigenous inhabitants, if at all, is illusory. That appears in the third paragraph of that page.

The Report goes on to say further:

"In regard to financial administration, for instance, the 1947 Annual Report states:

'In principle treasury administration is entrusted to the native authorities, but provisionally and in view of the latter's inexperience, the Country Treasury is administered by the Resident, and the treasuries of chiefdoms by the territorial Administrator or his delegate, though with the collaboration of the native authorities.'

"Thus Belgium has utilized the native authorities of Ruanda-Urundi, who are generally docile, because 'she could not think of changing or abolishing a political organization which the masses had accepted and recognized.' "

This phase of the Report, in the view of my delegation, is very significant because it shows the policy of utilizing the Native Authorities only in a small insignificant way, which obviously explains the very small improvement that we have found in our examination of the Annual Report.

/The Report says



The Report says: "Even in the field of purely native general administration, their freedom of action is more theoretical than real, and their independence, if anything, is illusory."

It seems to me that, under these conditions, it is incumbent upon the Council to determine whether some acceleration of the participation of indigenous inhabitants could not be devised, in order to bring the Territory, within the shortest possible time, to the ultimate goal of trusteeship administration -- self-government or independence.

We have already had occasion to examine the Annual Report last year, and here is a confirmation in this Report of the Visiting Mission of what we found in the Annual Report. I believe that there is no other alternative for us than to recommend, if possible, that immediate steps be taken in order that the native inhabitants may, in a progressive measure, participate more and more in the administration of the Territory.

As the Report further shows, the most vital factor in this regard would be the education of the people. In other words, it refers to education as the determining factor in the gradual and increasing participation of the native inhabitants in the administration of the Territory.

I think the Council can well take action along these lines on this particular point.

Sir Alan BURNS (United Kingdom): This raises the question of native administration and indirect rule with which I have had some experience.

The suggestion made by the representative of the Philippines is that this is a policy of utilizing the Native Authorities as though it were wrong to utilize the Native Authorities. But I maintain, and I am basing what I say on my own experience in British colonies, that it is not a policy so much of utilizing the Native Authorities as of teaching the Native Authorities.

I have seen the progress of a very elementary Native Authority, which at the beginning was quite incapable of understanding the implications of a budget, which was quite incapable of deciding how the revenue of the native treasury should be divided unless the District Commissioner took a bag of money and said so much was to be spent for one thing and took another bag of money to show that something was to be spent for something else, I have seen a native administration advance from that stage to the stage where they could keep very elaborate books  
/of account,



of account, when they had learned the meaning of a budget, when they could distinguish the different items of revenue and expenditure, and take a role and assume a complete and independent part in the financing of their administration.

It is not a question of utilizing them but of teaching them, and this is a slow and painful process.

Mr. CARPIO (Philippines): This question of the inability of the indigenous inhabitants to understand the intricacies of the budget, the mathematics of managing it, is a matter, in my opinion, of individual training.

If, at the inception of Belgian administration of this Territory, a number of promising students had been trained purposely for that work, by sending them to school and having them graduate in fields of accounting or business administration, if not in the Territory then somewhere else, by this time certainly there would have been probably hundreds of capable men ready to take over along those lines.

But what have we found out in the examination of the Annual Report? The policy of the administration with regard to education is, according to the statements made here before us, to build a general universal primary educational system. Even with that, up to now, how many students attend school in those primary schools? How many students attend secondary schools? How many students are attending universities? How many students have ever been to Belgium to further their education along technical lines?

/As far as

As far as the students in Belgium are concerned, there are absolutely none, and I feel that if we do not take vigorous action in accelerating the education of the people along the higher levels of education, we will wait, as the report says, for generations before we could prepare these people for any semblance of native participation in the higher echelons of government.

For that reason, I feel that some definite action ought to be taken, because we cannot wait and wait at the pleasure of the Administering Authority. It is for us in the exercise of our supervisory function to suggest lines of action that would enable us to consummate the basic objectives of the Charter.

The PRESIDENT: May I ask for purposes of clarification what definite line of action the representative of the Philippines suggests?

Mr. CARPIO (Philippines): I am just calling this matter to the attention of the Council because from some parts of the report mention is made of the fact that education is after all the final solution, and yet we know exactly the educational policies of the Administering Authority. Up to now, as we have found out time and time again, there is not a single student from the Territory that is studying in Belgium.

The PRESIDENT: In other words the representative of the Philippines is not raising an objection to the chapter in which it is said that the customary political institution is being utilized. He is really referring to education.

Mr. CARPIO (Philippines): Yes, but as we go along, I find also some dissatisfaction in the preservation of these native customs, because it seems to me that they <sup>are</sup> being utilized to preserve the status quo, and if we must be content with the status quo, that would mean that we are at a standstill; there is going to be no progress; there is going to be no improvement.

In other words, we would not be leading up to the provisions of Article 76, which says "political, educational advancement". I am thinking particularly of the word "advancement". It must be a progressive step forward rather than a standstill on the status quo.

/Mr. LAURENTIE

(Interpretation from French):  
Mr. LAURENTIE (Chairman of the Visiting Mission) / I do not

know whether it might not be useful for me to point out to the representative of the Philippine Republic that two parts of the report have dealt with the question which he has just raised. The first on page 14 of the English text indicates what are the purposes of the local administration. Pages 14 and 15 explain the conduct of the local administration, particularly this fact which perhaps did not appear very clearly in June and July last in the Council meeting. It appeared to us quite clearly that precisely one of the purposes of the local administration was to weaken the feudal system which existed in Ruanda-Urundi, to undermine that system, and I think that all the members of the Committee saw that very clearly.

The Belgian administration was confronted with an extremely rigid system based on mutual exchange of services -- political, social and economic -- and the whole of the work of the administration, or a great part of it, was devoted precisely not to destroying that system, but at any rate to weaken it, to deprive it of some of its force.

Our report deals at some length with the question of cattle, for instance, in this connexion. There can be no doubt that very considerable results have been achieved in the political field.

Another passage, which indicates that the Belgian administration has made an effort to replace the feudal system which was crumbling, was the appointment of <sup>young</sup> chiefs. We have seen them; we have had quite long talks with these chiefs, and I think it was the opinion of all the members of the Mission that the conversations we have had with this young generation of chiefs was very encouraging and of good augury for the future. It is not an electoral form, it is a hierarchical form of administration, but certainly it represents progress in the political and administrative fields.

Finally, I would point out to the representative of the Philippines that the Visiting Mission shares his view that everything is not perfect here, that we did not consider that everything was perfect. On the contrary, we drew the attention of the Council to certain improvements which might well be made in the Belgian administration. These are mentioned on page 17/ <sup>and the following pages</sup> of the report under A, B, C and D. There are a number of recommendations here.

The Mission knows that having spent only three weeks in the country it is not in a position to give opinions ex cathedra, but I think I can say that our observations contained in these paragraphs, upon which the

/Mission agreed

Mission agreed unanimously without very much difficulty, and may therefore serve to guide the Council in hastening the progress which the representative of the Philippines calls for.

Mr. CARPIO (Philippines): I do not know whether I understood what the chief of the Visiting Mission really had in mind in answering to my remarks.

But I have here on page 16 the very words of the Visiting Mission's report which says:

"The criticisms which the Mission feels justified in making with regard to the Belgian administration do not concern the trend of its native policy but the conception of the slowness which is one of its dominant characteristics."

I emphasize the word "slowness".

Later on in the next two paragraphs it says:

"All the conversations which the members of the Mission have had with the officials of the local administration have brought out the fact that the political evolution of the natives is conceived as an extremely slow process. According to them it would seem that it will take many generations to achieve any results."

Then, in the last paragraph, it says:

"It none the less seems to be true that at present this political evolution has reached a stage when an acceleration of the movement would be justified without running any great risk of social upheavals....Hence it would seem to the Mission that a quickening of the pace of this evolution would be desirable."

I had this in mind when I made my remarks, and it is for that reason that I wanted to emphasize the facts so that we may know exactly what steps we ought to take on this matter.

The PRESIDENT: I may point out that the steps which we ought to take are in the next paragraph of the report, and that is on page 17 under section A:

"In order to accelerate political evolution, greater efforts should be made in regard to the general instruction and education of the masses and upper classes....Only a considerable development of education can provide a basis for real political progress. In this respect, remarkable results can be achieved in one generation."

It seems to me that that is entirely consistent with what the representative of the Philippines has in mind.

/Mr. CARPIO



Mr. CARPIO (Philippines): We all seem to agree that that is what I am after and what we are all after.

The PRESIDENT: Perhaps it is relevant for me to point out that in the examination of this report, we should remember, as I have said, that it is, in a way, different from the Annual Reports of the Administrative Authorities. The attention of the members of the Council should not be directed toward evaluation so much or to criticism of the conditions of the Territory, because that has already been described by the Visiting Mission. I think the purpose of examining this report is for members to find out whether they agree with or endorse the report. If the Council agrees with the observations -- with the paragraph I have just read, for instance then it is for the Council to say it endorses these observations. Or if no such recommendation is in the Visiting Mission's report and the Council, after reading the report, feels certain observations or recommendations necessary, then it will formulate such observations and recommendations.

It seems to me that that is the sense in which the Council should examine this report. That, at least, is my reaction to this report, and I only want to say this to facilitate, perhaps, the trend of discussion.

Mr. SOLDATOV: (Union of Soviet Socialist Republics) (Interpretation from Russian): I have a question concerning page 7 of the report of the Visiting Mission. On this page of the report, in the middle of the second paragraph, it says: "Generally speaking, the Trusteeship System is too little known to the various elements of the population; the school textbooks, in particular, have not yet been brought up to date in this respect, and Belgian officials themselves have perhaps not been fully instructed in the special features of the new system".

I would like to ask the Chairman of the Visiting Mission to explain this particular comment in the report. Specifically, I would ask what is being done about this question in greater detail and, if neither the inhabitants nor the Belgian officials are familiar with the basic principles and outlines of the Trusteeship System, I would like to know in what way they administer the Territory, and how they educate and train the inhabitants in the spirit of the Trusteeship System as set forth in the Charter and, specifically, in accordance with Article 76 of the Charter.

/The PRESIDENT

The PRESIDENT: While the question was addressed to Mr. Laurentie, Mr. Ryckmans would like to speak. Both can speak, of course.

Mr. RYCKMANS (Belgium) (Interpretation from French): The Governor of Ruanda-Urundi has informed me that instructions have been given by the education authorities for the introduction in school manuals of information on the United Nations and the Trusteeship Council. This suggestion, therefore, has already been followed in practice.

The PRESIDENT: That is very satisfactory. Perhaps Governor Laurentie would like to supplement the replies to the question.

Mr. LAURENTIE (Chairman of Visiting Mission) (Interpretation from French): I think one has to make a distinction here. I am not sure whether it has been made in other parts of our report, but certainly it is not clear enough in the paragraph just quoted by the representative of the USSR.

One thing is certain: we have all observed that the officials of Ruanda-Urundi and the schoolchildren there are fully informed as to the Mandate System. The school textbooks which we have seen contain very precise information on this, and the officials who lived under this Mandate System for 25 years certainly know all there is to be known about that system.

What is lacking, and this also the Mission observed and emphasized in the paragraph referred to <sup>by</sup> the representative of the USSR, is that both the schoolchildren and the officials in Ruanda-Urundi are imperfectly aware of the difference between the Mandate System and the Trusteeship System. This is more than a matter of nuance and the Visiting Mission certainly made these observations. It is for this reason that we mentioned them in our introduction to the report, and I think a recommendation has been made to this effect at the end of the report.

Mr. CARPIO (Philippines): I do welcome the statement made by the representative of Belgium that instructions have been given to officials with regard to information on the International Trusteeship System.

I wonder whether, in view of that, it would be too much to ask that the Secretariat be furnished with copies of all these instructions and be given textbooks containing all matter concerning the Trusteeship System, so that we may judge in what manner this subject is really being brought

/to the attention



to the attention of officials or of the student body of that Territory.

Mr. RYCKMANS (Belgium): Do you want it in the Ruanda text, or in translation.

Mr. CARPIO (Philippines): I suppose that, whatever documents are sent, whether they be in Ruanda text or not, could be genuinely interpreted in due time by the Secretariat.

Mr. RYCKMANS (Belgium): But I am afraid no-one here in the Secretariat knows either Kenyanuanda or Kirundi, and if you are not quite sure when the Administration tells you that it is in the text books -- when you want to see it for yourself -- you may perhaps not be quite happy about a translation.

Mr. CARPIO (Philippines): I would be satisfied with whatever translation the Administering Authority gave.

Mr. RYCKMANS (Belgium): A great mark of confidence. Thank you.

The PRESIDENT: It is not so much a lack of confidence as the wish that the Secretariat should possess complete documentation. I think that the remarks of the representative of the Philippines should be viewed in that light.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I would like to call the attention of the Chairman of the visiting mission to page 12 of the report in the English text.

On page 12 in the report, particularly in the sentence contained on this page, I am not quite clear as to the general picture of the relationship between the Belgian authorities and the local indigenous authorities as referred to here.

On page 12 we see the following sentence:

"Native authorities may be punished by the European authorities."

If possible, I would like to have a clarification of this sentence from the Chairman of the visiting mission.

The PRESIDENT: The representative of Belgium is ready to answer.

Mr. RYCKMANS (Belgium) (Interpretation from French): No, I just wanted to indicate the very great difficulty in our work. References are made sometimes to the French and sometimes to the English text and I think that even for the interpreters it must be difficult. When a reference is made to page 12 of the English text they do not know whether they should refer to some other page of the French text.

The PRESIDENT: I believe that the representatives who read the English text will only refer to the English text.

On this point I think I might perhaps ask that the representative referring to a page might pause for a moment in order to enable the interpreter to find the corresponding text.

As a matter of fact, I have been told that in the examination of reports the interpreters have difficulty in finding the right pages in the documents because representatives refer to a certain page and certain portions of that page and then goes on to make his comments immediately as if everyone's attention has been affixed on that portion. It really takes a little time for the listeners -- whether interpreters or representatives -- to find the right place.

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): I think it is possible to give a general explanation which will clarify the passage which gave rise to the comment of the representative of the USSR.

The administration of Ruanda-Urundi has preserved the cadres of the former native system. There are two kings / <sup>and</sup> under them, chiefs and sub-chiefs.

/But, it would be

But, it would be incorrect to say that we have here a system of protectorate or a system of indirect representation. It would be difficult for me to define exactly the present administrative regime in Ruanda-Urundi. It is a regime in which the structure of the old administration has been preserved but in which, in order more rapidly to develop the country and to avoid its being paralyzed in an old feudal system, there is the constant intervention of the Belgian administration even in the appointment of chiefs.

Therefore, there is a hierarchical relationship between the Belgian administration and the indigenous chiefs. The indigenous chiefs cannot be regarded as independent of the Belgian authorities. There is a constant intermingling of the two systems.

This justifies or explains that the indigenous administration, since it is, in practice, in a large measure under the control of the Belgian administration, are appointed or approved by the Belgian authorities. The chiefs can be removed by the Belgian authorities and are subject to disciplinary measures as in all administrations in which there is a hierarchical relationship between superiors and subordinates.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): In this connexion, the following question arises: What sort of punishment is applied by European authorities to Native Authorities. I would also like to know whether the Belgian authorities can use corporal punishment and whether they do use corporal punishment.

Mr. RYCKMANS (Belgium) (Interpretation from French): Punishments are reprimand, warning, provisional suspension of pay, suspension from the post and dismissal. Those are the punishments.

Reprimand comes first; then warning, temporary suspension of payment, suspension from duties and then dismissal. There is no corporal punishment.

The PRESIDENT: Are there any further observations or questions? If there are no more questions or observations on Chapter I, then I should like to call attention to ...

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I am not quite clear as to one place on page 13 of the English text. It is the same place on that page that was quoted by the representative of the Philippines and regards the powers of the local authorities. I think that it is in exactly the same place in the French text.

I would like to ask the Chairman of the visiting mission to explain whether the local indigenous authorities had expressed to the members of  
/the visiting mission

the visiting mission or the Chairman of the visiting mission, any dissatisfaction with their subordinate position in view of the fact that their sphere of activity is extremely restricted.

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): Perhaps it is not so much that their sphere of activity is very restricted. It is rather that there is a certain lack of initiative by the Native Authorities.

On this I must say that we have had various conversations with both young and old chiefs. In particular we had a conversation at Kitega and another at Ostrida and we have certainly felt -- particularly among the younger chiefs -- a certain desire for a greater degree of initiative for themselves.

Mr. RYCKMANS (Belgium) (Interpretation from French): I must point out to the members of the Council in this connexion that at the time of the German administration chiefs had complete initiative. Is that what we want to go back to?

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I have another question regarding page 19 of the English text, and I believe that in this case the page in the French text is the same.

I would like to have some explanation regarding the powers of the Councils of Sultans and the Tribal Councils.

The PRESIDENT: Will you specify the paragraph?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): The entire page deals with this question. It is rather difficult for me to say specifically what paragraph. I think the Chairman of the Visiting Mission is quite clear as to my meaning there. He knows what I am after, I think, because they studied this question on the spot and I think he understands what I am referring to.

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): I don't remember exactly the text which determines the powers of the Council of the Mwami, although the whole of the paragraph to which reference is made by the representative of the Soviet Union recommends that in general a greater degree of centralization should be aimed at in the local councils -- the native councils. But as regards the text itself, I am sure that there is a text which determines these powers though I am not at present able to define what are the powers of the Mwami Council.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I would like to have a further explanation on the question as set forth on page 20 of the English text: it is noted here: "It is also proposed to organize a regular territorial council, to be composed not only of chiefs but also of representatives appointed by an electoral body composed of notables, more advanced Africans, members of the chieftom councils, etc."

"This council, presided over by a European would accustom itself to examining the general problems of the Territory."

I would like to know whether the Visiting Mission has gathered any additional information on this question, since the problem is a very serious one, in as much as it is considered that this Council "contains in embryo all that is necessary for full democratic development, provided it is encouraged, expanded and given increasing powers and responsibilities at a sufficiently rapid rate of progression."

/ It is in this connexion



It is in this connexion that I feel that the setting up of this Council would be a very important thing and I would therefore like to have some additional information as to how it is proposed to set up this regular territorial council and I would like to know why it has already been established that the head of this body would be a European.

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): The mission has no information on this apart from what is stated here. Our information is derived from the various talks that the mission had with the governor of the Territory, with the two residents, and with the local administrators.

As the report indicates very clearly we are concerned here only with a plan. We don't believe that the plan is yet complete. It is only an intention held apparently by some of the staff of the Belgian administration. I do not think I have anything further to add.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I would like to ask the President a question. As I understand it, after asking these questions we will be able to make general comments. I do not know whether it will be on each chapter separately or on the report as a whole. I personally would find it difficult to speak on each chapter separately, because they are all organically related, and I would prefer to speak on the report as a whole, and I would like to have the views of the President. Can the members of the Council speak on the report as a whole when we finish the debate?

The PRESIDENT: Our line was that we would examine it chapter by chapter. After we had completed the examination, the members will have an opportunity to speak on the contents of the Report.

Mr. CARPIO (Philippines): The Visiting Mission has made certain observations on pages 17-20 of the English text of the report.

I feel that these observations are well taken and very well supported not alone from our examination of the annual report last year but as we now find them being recommended by the Visiting Mission.

For that reason I believe that we should adopt these recommendations and take the necessary steps to bring them to the knowledge of the Administering Authority. In that way we can finish the discussion of  
/the report



ILT/AH

T/PV 147

43-45

the report chapter by chapter and at least have something to show for our work.

Before we leave this chapter I believe that this recommendation should be adopted by the Council, and if necessary I am willing to move to that effect.

/ The PRESIDENT

The PRESIDENT: I think the observations in the nature of recommendations -- as the representative of the Philippines puts it -- are scattered in various portions of the report. I think the best procedure would still be for the Council to determine what recommendations it wants to endorse and what other observations to make, after we have gone through the whole report than to do it piecemeal now.

For instance, on political advancement there is some reference to education and other observations that may overlap with it in the section dealing with education.

Mr. CARPIO (Philippines): I have no objection to that procedure, but I raised the question merely to let the Council know that we had not dealt definitely with this chapter, in case it should be forgotten later on.

As far as my delegation is concerned, it endorses in full the observations and recommendations denominated as A, B, C and D on pages 17 to 20 of the report.

The PRESIDENT: That view will be noted. At the end some draft resolution will have to be formulated on the basis of the observations by members of the Council.

Sir Alan BURNS (United Kingdom): On a point of order, I understood when we first arranged our agenda that we were not going to come to any definite conclusions or make any recommendations until the comments of the Administering Authorities were available.

This is a matter of the Ruanda-Urundi visit, but it is going to come up in connexion with the Tanganyika visit, and I was clearly of that impression.

The PRESIDENT: I believe we did say that if the Council feels that further information is necessary, then it could at least have a preliminary examination of the report.

Sir Alan BURNS (United Kingdom): As I understood it, it was a preliminary examination. You cannot move resolutions /and have

and have them adopted in a preliminary examination and I really cannot see how the Council could attempt to make recommendations until it has at least heard the views of the Administering Authority in the matter.

The PRESIDENT: The Council may still adopt a resolution to say that it has studied the report and that in certain portions it would like to have further information, and urges the Administrative Authorities to send in their comments as soon as possible -- that would be a form of resolution.

I am not saying that this is the draft resolution, but that would not be a step which was inconsistent with the desire of the Council.

Mr. RYCKMANS (Belgium) (Interpretation from French): I would venture to point out to the Council that I have informed my Government that the Trusteeship Council would proceed to a preliminary examination of the report.

In spite of my protests, the Government has replied to me that it was deplorable -- that was the word used -- that the Council did not have the discussion on the report at a later stage.

In any case, it must be clear that we are engaged now upon a preliminary report. If the Council were to proceed now to a final discussion, and adopt resolutions, it could of course do that, but as a result of an earlier decision of the Council I have informed my Government that the Council is only to engage now upon a preliminary discussion and examination .

The PRESIDENT: Adopting a resolution does not necessarily mean a final determination -- I leave it entirely to the Council.

I think the representative of Belgium will agree with me that a resolution does not have to be final.

Mr. SAYRE (United States of America): If my memory serves me correctly, we have already discussed this point at some /length and

length and reached, as I understood, a definite conclusion.

By reference to the minutes of what took place several weeks ago we will find it there set forth.

As I remember, the conclusion which we reached was this: that we certainly would examine the report of this Visiting Mission; we would be free to discuss it; we concluded, I think, that naturally the conditions in every Trust Territory keep changing -- comments can be made on the conditions as at any time; that we would certainly not reach definitive conclusions with regard to the matters dealt with in this report until we had had the comments of the Administering Authorities.

On the other hand, if my memory serves me correctly, it was pointed out in that debate that the Administering Authorities themselves might be interested to know the trends of thought in the Council; might be interested to know whether this or that recommendation or conclusion of the report met with the concurrence of the Council; that a debate on and a consideration of the report might be helpful; and that we would enter into such a discussion, but that we definitely would not reach definitive conclusions.

I think as I understood it, that was the conclusion which we all reached, and I think perhaps we are wasting time to enter again upon that same discussion.

The PRESIDENT: I entirely agree with the representative of the United States that it is a waste of time, and I cannot understand the apprehension on the part of the members of the Council, because I have said again and again that I would not like the Council to come to any hasty conclusions and no one, as far as I can see, has raised the question of coming to a final decision.

The opinion expressed by the representative of the Philippines is by way of discussion -- by way of altering his opinion -- it is not that the Council should take any final conclusion. All that the representative of the Philippines has said is that in his delegation's view all the observations should be endorsed. That is his opinion; I have not heard any suggestion of arriving at a definitive recommendation yet. I cannot say that it will not be forthcoming, but I have not heard it yet.

/Sir Alan BURNS:

Sir Alan BURNS (United Kingdom): I may be mistaken, but I certainly understood the representative of the Philippines to say that he wanted to move a resolution accepting certain things.

There is real apprehension in the Council, but only because we do not know where we are.

The PRESIDENT: I would like the Council to enlighten me. The decision of the Council at a previous meeting is on the record; if there is such apprehension, then I am glad that this point has been raised.

Mr. CARPIO (Philippines): As I recollect our previous discussion on the matter, it was to the effect that if there are things contained in the report on which we could take definitive action, we were free to do so; and I certainly object to the principle of postponing consideration of problems before us simply because the Administering Authority has not seen fit to make remarks or observations thereto.

Surely that would be putting this Council to the mercy of the whims of the Administering Authority. Up to now we have not been given any idea as to when these observations will be forthcoming, and if we have to wait indefinitely until it is the desire of the Administering Authority to give or not to give any observations on these problems, that would be stopping the clock of our deliberations.

In principle I object to that, and I feel that from the time when the report was written in November to the present time, observations on a report of this kind which one can read in one night could have been forthcoming, I believe, long before this time. In principle I object to any postponement of our deliberations pending receipt of observations which may never be forthcoming.

/Sir Alan BURNS

Sir Alan BURNS (United Kingdom): I would like to protest against that suggestion. I made a statement today, when the Council first met for this session, that we had received the report regarding Tanganyika very late and had not had time to consider it. The Council will certainly be in possession of the comments of the Administering Authority at the beginning of the next session, and before that. I object strongly to the suggestion that we are going to suppress our comments with a view to suppressing any discussion. I do not mind a discussion, but I cannot see that the Council can come to any reasonable conclusions until it has had the comments of the Administering Authority.

There must be some courtesy and consideration for Administering Authorities, as well as for the Trusteeship Council.

Mr. RYCKMANS (Belgium): I must have been misinterpreted from the French, so I will say it in English. I have said time and again that the Governor of Ruanda-Urundi has received instructions to give his reply to the suggestions of the Visiting Mission in the next annual report, which was to be in the hands of the Secretary-General on the 30 April.

Following a decision of the Trusteeship Council, this report will be in the hands of the Secretary-General on 30 June.

If the Philippine representative can take a decision on such matters in a night -- I have been in Ruanda-Urundi for many years and been Governor-General of the Congo for twelve years and I assure you that, receiving suggestions from a Visiting Mission composed of responsible people who act after having thought over what they had to do, I would not take a decision in one night.

The PRESIDENT: In any case the Council will abide by any decision it has previously arrived at unless it is the preponderant desire of the Council to reverse that decision. I will see to that. But any representative could make a suggestion, and I think I cannot say that that kind of suggestion is out of order.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I agree entirely with your explanation as to how we are to consider the report of the Visiting Mission, particularly since, when we first discussed this question at the beginning of our work at this session, I believe we agreed, and for this reason there was no need to take

/a vote.



a vote. I think we agreed that we would discuss the report of the Visiting Mission. On those questions which would be quite clear to the Council, the Council could come to a decision on them. As regards questions on which the Council was not quite clear, the Council would be able to have clarification on them and even that would be in the hands of the Council itself.

Therefore I completely agree with you that we have no grounds for wasting time on procedural questions, and I think we should go ahead with the consideration of the report.

The PRESIDENT: To clarify this point, since it has been raised, the record is on page 10 of document T/SR 126. "Mr. PADILLA NERVO thought that the Council was complicating a simple issue. No one challenged the view that final decisions could not be taken on the report until the comments of the Administering Authorities had been received." That is a complicated statement! But, as I understood after that very complicated debate, I stated from the Chair that the item "Examination of the Report of the Visiting Mission" would remain on the agenda of the session and would be discussed on a provisional basis, bearing in mind that certain problems raised in the report would be studied by subsidiary organs of the Council.

Mr. GARREAU (France) (Interpretation from French): When we discussed this question, I, for my part, envisaged an adjournment of the study of the report of the Mission, because I considered that insufficient time had been left to the Administering Authorities to make their comments, if they wanted to make comments. I said that these comments, after a normal time of study, might be expected to be transmitted by cable to the representatives of the two countries concerned, in this case, the Belgian Government.

I still hold that view. I think that the Administration should be given sufficient time to examine the report of the Mission and to formulate such observations as it may wish to make and transmit them, if necessary, by cable, so that the representative of the Government concerned can reply to the questions put here in the Council.

For this is no longer a matter of questions to any particular representative; the representative of any Administering Authority here present must be in a position to reply to any comments made to him in the Council, or at any rate to reply in general terms. If, for instance,  
/figures

are quoted which are not in the hands of the representative of the Administering Authority, he is entitled to ask for time to obtain the necessary data from his Government or the authorities on the spot.

I think we agreed, for this reason, that the debate on the report of the Mission should be adjourned precisely in order to give the Administration time to study the report carefully and supply us with all the comments which it may wish to make.

I do not think we can formulate resolutions or final comments until we have heard the opinion of the Administration. But these comments must be submitted, because we do not want a delay of several months before we can study the report. We must leave the administering authorities responsible time to study the report and supply us with comments.

It would be difficult for me to say just how long would be needed for this, but I think that we would all agree upon what is a reasonable time to allow, a time-limit which would not involve serious delay in the consideration of the Mission's report.

In general, I support the comments of the United States representative, with the clarifications which I have just made.

Sir Carl BERENDSEN (New Zealand): My memory does not serve me on this matter - it rarely does - but I do not care the proverbial tin of fish what the Council decided it was going to do. It seems to me the position at the moment is so clear as to be susceptible of no doubt whatsoever. And indeed, if I might suggest it, I think the Philippine representative has made one of those rare mistakes on his part which comfort us, or at any rate comforts me, with assurance that he is still human.

It would, as he says, be monstrous if an Administering Power were, in contumacy, to defer making its comments on such a matter as this, with the object of preventing this Council from coming to a decision. That is, to me, quite unthinkable, and if such a contingency arose the Council would be fully entitled to go ahead and form its opinion without such observations.

But I have not heard any suggestion that the Administering Authority in this case is in arrears of the reasonable time that should be allowed for the formation of its views on such an important matter as this.

/If no such suggestion is made

If no such suggestion is made -- and I do not think that the representative of the Philippines did make such a suggestion -- then it is monstrous to consider coming to a conclusion of any kind whatsoever in the absence of the observations of the Administering Power.

As I understood it, the representative of the Philippines -- feeling strongly as he does, and one honours him for it, on this question of progress -- did propose a resolution at this moment. There, I suggest, he made one of his rare errors, and I hope the Council will not follow him, and make an error by attempting to pass a resolution in the absence of the proper observations of the Administering Authority.

Mr. GARREAU (France) (Interpretation from French): May I venture to make a suggestion to the Council?

Obviously, since we have not received observations from the two Administrations concerned, according to the statements made by the representatives of Belgium and the United Kingdom, I would like to propose to the Council that it delay the study of this matter until its next session, if the representatives of Belgium and the United Kingdom are in a position to promise that at that time the two Administrations will have submitted their comments.

There is some divergence between the information given by the representative of the United Kingdom, on the one hand, and the representative of Belgium, on the other.

The representative of the United Kingdom has said that he wants to have time to receive comments from his Government and the Administration of Tanganyika. The representative of Belgium, however, says that the comments of the Administration of Ruanda-Urundi will be contained in the Report, which will come in on 1 June.

From that it would follow, of course, that the Report arriving on 1 June could only be studied in our session of January 1950. That is, of course, a very long adjournment.

I did understand that the proposal of the representative of the United Kingdom was that a reasonable time should be allowed.

I make this suggestion to the Council. I wonder whether the two Administrations would not have time enough if the study of this matter were postponed until our next session. At that time the Council would have the comments of the two Administrations, and might be able to  
/reach conclusions

reach conclusions and make recommendations.

Mr. RYCKMANS (Belgium) (Interpretation from French): If the Council adopted a resolution today, as I suggested at the beginning of this meeting, submitting the Report of the Visiting Mission, to the Administering Authority and asking it to make its comments, I should be prepared to vote in favour of such a Resolution. I think that is the only thing that the Council can reasonably do at the present time.

Try to picture the real situation. The Governor of Ruanda-Urundi receives suggestions from the Visiting Mission. He agrees with some of these suggestions; he recognizes that mistakes have been made, and he agrees with the suggestions. With others he does not agree.

His first reaction is to say "No. One cannot change one's policy on such important questions from one day to the next." The Governor of Ruanda-Urundi and the Administering Authority would lack in conscience towards the Council and the United Nations if, on a suggestion of a Visiting Mission, and without further study, they were to say that since the Visiting Mission had suggested this or that, the Administration should therefore do what was recommended.

No, it is for the Administering Authorities to take their own decisions.

Suppose that the Administering Authorities do not agree to the recommendations. What would the Belgian Government do? Would it say that since the Governor did not agree with the Mission's recommendations, it could not support the Mission, but must support its own administrator on the spot. Would you regard that as a conscientious, responsible attitude?

If, on the other hand, the authorities are conscious of their responsibilities towards the Trusteeship Council, the Belgian Government would say to the Governor of Ruanda-Urundi: "I am not satisfied with your objections. It seems to me that there is something sound in the suggestion of the Mission. See if you cannot carry them out -- at least, in part."

All that would take time. That is not a thing that one can dictate to a secretary. It is a thing upon which long reflection is needed. The Governor of Ruanda-Urundi might have to take the opinions of his advisers about the inhabitants, the indigenous inhabitants, and

/so on.



so on. Sometimes the Belgian Government asks me whether the Trusteeship Council's suggestions are sound, and I sometimes have to express my view, and say that in my opinion the Trusteeship Council has taken a wrong decision.

Although we may have the impression that the suggestions of the Council are not wise, we may sometimes feel that we ought to follow them. These are certainly not questions that we can settle from one day to the next. They must be very seriously considered.

When the matter is one upon which everybody can agree in a moment, such as, is information concerning the UN included in our school textbooks, that can be settled quickly. I have already given you the information that you wanted, and the matter is settled. But these other matters require long consideration.

Is that not common sense?

The PRESIDENT: The representative of Belgium always speaks common sense. But may I also state what I consider to be my common sense.

When the representative of the Philippines suggested that we should come to some sort of a decision, chapter by chapter, I said it would not be appropriate. The Council should examine this, chapter by chapter, and then afterwards finally dispose of the matter by a resolution. By this I did not mean that the final decision may be a resolution which was thus proposed.

I did not say that we were restricted to any definite position. In my view, if the representative of Belgium assures me that the Governor of Ruanda-Urundi will submit a reply in April, then my common sense way of looking at it would be that the Council defer it until the next session.

I would like to remind the Council, also, that this question has been discussed so many times that it is even difficult for me to lay my hand on its exact summing-up in the records. I do recall that when the question was discussed I proposed to put the matter to a vote and in doing so I made it clear that even if the Council should decide to vote for the examination and consideration of the Report, no final decision need be reached at the present session, until comments of the Administering Authorities had been received.

/That was the



That was the nearest we could get to the decision of the Council, because it does not make it a decision by vote. But I did say that even if we did vote for the examination and consideration of the Report immediately, no final decision need be arrived at.

I think the records have borne out the fact that the representative of Australia said that the matter need not be put to a vote, and I certainly would not go back on the Council by urging it to take a final decision now. All I said was that the Council, having decided to consider the Report at this session, should examine the Report chapter by chapter. I thought that I had already answered the representative of the Philippines.

/If the Council

If the Council would like to adopt a resolution, as just suggested by the representatives of France and Belgium, it is quite in order to do so, but I would suggest that the Council, having begun to consider this Report, go on to ask questions for clarification chapter by chapter until the end.

I always trust that the common sense of the Council will enable it to adopt an appropriate resolution at the end of the consideration of the Report. Is that clear?

Mr. CARPIO (Philippines): For the purpose of the record, it seems to me there is some confusion in the procedure which we have followed.

When I made my remarks objecting to the principle of delaying the consideration of this Report until we have received the observations of the Administering Authority, it was furthest from my mind that the consideration of the Report on Tanganyika was included, because we are not now considering the Report on Tanganyika.

Therefore, I was surprised by the remarks of the representative of the United Kingdom because he knows full well that we are not discussing the Tanganyika Report. Also, I never said that delay was a deliberate delay. All I did say was that, since we had no assurance as to just when we would receive any observations on this Report under consideration, I feel that, as a matter of principle, we should not delay the matter....

Mr. RYCKMANS (Belgium): You said we would be at the mercy of the Administering Authorities.

Mr. CARPIO (Philippines): Then go ahead and talk. I am trying to explain my position and you interrupt me; would you like me to interrupt you when you are talking, Mr. Ryckmans?

It was not my intention to say that this is a deliberate delay, but since I was under the impression that there was no definite time given as to when observations should be given; I feel that, as a matter of principle, the deliberations of the Council should not be dependent upon the eventual submission of the observations.

I do say that we have our work, we have our timetable, and this Report on Ruanda-Urundi is on our timetable for discussion today. We have known since January, when we first discussed this matter, that it would be on the calendar for this month. I cannot understand why up to now, if we are interested in proceeding with this matter, there have been no observations submitted, because I had no impression then,

/until Mr. Ryckman's

until Mr. Ryckman's statement a while ago, as to just when we would receive these observations.

It was not my intention to say that this delay was deliberate. I simply objected to any delay in our work subject to possible observations which might or might not be given by the Administering Authority.

Mr. SOLDATOV (USSR) (Interpretation from Russian): In regard to page 25 of document T/217, I have the following question which I would like to ask.

The PRESIDENT: Will you defer your question until I have clarified this situation?

Sir Alan BURNS (United Kingdom): May I say that I sympathize entirely with the attempt of the representative of the USSR to get on with the job.

I raised this question in the first instance because I was concerned at the proposal by the representative of the Philippines that we should take a resolution excepting a certain part of the Report. At the very first meeting of this Council, we made a clear statement that the comments of the Administering Authorities would be available at the next session. We therefore suggested -- and I am speaking in the name of the Belgian representative, if I may, as well as for myself -- that the Report of the Visiting Mission should be considered at a meeting when the comments of the Administering Authorities would be available.

We made that clear statement. The representative of the Philippines today -- I may have misunderstood him, but if I did, I seem to be in very good company -- made the clear statement, to my mind, that we were deliberately holding up these comments and that the Council would be at the mercy of the Administering Authorities. I objected to that.

If he did not mean that, I am willing to accept his view. But it most clearly conveyed that impression to me, and I think it would convey that impression to any reasonable man who heard it.

When we suggested that the question of the Report of the Visiting Mission should be deferred until the next session, the Council decided otherwise, and we, being good members of the Council, accepted the decision. But we understood -- I certainly understood -- that it is to be a preliminary examination and that no definite decision should be taken.

What concerned me, and what made me ask for your clarification in the matter was this -- that a definite proposal was made today that a  
/resolution

resolution should be accepted adopting a certain part of the Report.

We are dealing with the visit to Ruanda-Urundi. I pointed out to the Council that, although we were considering that, the question of Tanganyika was coming up afterward, and I wished to know what the position was going to be: whether we were going to stand by our original decision or start something quite new. That is all I asked.

If we are just going to go through this Report as it is now, I think we are wasting time, but, at any rate, I am willing to accept that way.

Mr. GARREAU (France) (Interpretation from French): I think that if we all agree that we should wait for the comments of the two administrations on Ruanda-Urundi and Tanganyika, I think we should wait for them as long as we do not have to wait too long a time.

But if we are to wait, I do not see the value of pursuing our present study. We cannot reach conclusions or adopt resolutions as we have not received the observations of the Administering Authorities. We should then be carrying out a study without coming to any conclusion, and the discussion would have to be reopened when the comments of the Administering Authorities came in.

I do not, therefore, see the value of continuing the present debate. I repeat my suggestion, which I think now has the support of the representatives of Belgium and the United Kingdom, that we should ask those two representatives whether they think the comments of their administrations can be received before the beginning of our next session. If so, we can proceed at that time, our next session, to a useful consideration of the whole problem. Mr. Ryckmans will be in a position to reply to all the points raised on Ruanda-Urundi, and as a result of that debate, the Council can adopt recommendations, conclusions or resolutions to be transmitted to the General Assembly in support of the Visiting Mission's Report.

I think this procedure would save time for the Council and I submit it for consideration.

The PRESIDENT: As the Council has discussed this question on more than one occasion, and does not want to consider it, why weigh the possibility of deferring any kind of conclusion? If the representative of France wants to move a resolution formally to reverse that procedure, then I am quite prepared to put it to a vote, although the record will show that a number of representatives felt that a preliminary examination and clarification would serve a very useful purpose.

/Mr. RYCKMANS

Mr. RYCKMANS (Belgium) (Interpretation from French): For my part I have asked, I have urged, that we should not discuss the report at this session. We have begun the study of this report, and I must confess that something said by the representative of the United States seems to me worthy of note. He said that the views expressed here by the members of the Council should be known to the Administering Authorities. He is right there. I should desire the continuation of the examination of this report provided that we do not waste three-quarters of an hour further upon questions of procedure. Questions may be put, observations may be made by those who wish to put and make them, and I hope that the report should be submitted to the Administering Powers for their comments as I suggested at the beginning of this meeting.

For the meanwhile, I do not see any objection to our continuing the discussion as the Chairman suggests.

Sir Alan BURNS (United Kingdom): I am bound to say that I cannot agree either with the representative of the United States or with the representative of Belgium, because I think the views of this Council might be considerably amended if they had had the advantage of seeing the comments of the Administering Authorities.

Mr. SAYRE (United States of America): I merely want to say that I wholly sympathize with the representative of the USSR in wanting to get ahead with the business. Along that line, I wonder if I might be pardoned for reading from the minutes of the previous meeting about three passages which seem to me to make pretty definite just what the decision was which we reached and which, I take it, should not be upset without a majority vote.

I begin by reading in document T/SR. 126 at the bottom of page 6 of the English translation a passage of my own remarks because they are alluded to by the President later on.

"Mr. SAYRE (United States of America) thought that the Council should decide forthwith whether it would examine the reports of the Visiting Mission at the current session. In his opinion, the Council was losing sight of the distinction between preliminary conclusions and final conclusions. In the case of the Trust Territories, the Council was dealing with living issues upon which it would be continually gathering new information and upon which it

/could never reach



could never reach a final conclusion. Would not the best course therefore be for the Council to make a preliminary examination of the Visiting Mission's reports and agree upon certain conclusions, always on the understanding that those conclusions might have to be revised in the light of the Administering Authorities' comments?" Then after discussion by several others, on page 9 of the English translation, still in that same document T/SR. 126:

"The PRESIDENT proposed to put to the vote the question whether the examination of the Visiting Mission's reports should be postponed until the next session. If the Council voted to consider them at the present session, it would be understood, as the United States representative had suggested, that final conclusions need not be reached until the Administering Authorities' comments were received."

Then followed a little further discussion with the passage which has already been quoted when the representative of Mexico said that no one challenged the view that final decisions could not be taken on the report until the comments of the Administering Authorities had been received.

Finally, the President himself summed up the matter as shown on the bottom of page 10, still of this same document, of the English text, where we read:

"The PRESIDENT, summing up the position, stated that the item "Examination of the report of the Visiting Mission" would remain on the agenda of the session and would be discussed on a provisional basis, bearing in mind that certain problems raised in the report would be studied by subsidiary organs of the Council."

Unless a majority of the Council sees fit to reverse that conclusion, which was reached after the expenditure of at least an hour's time, I suggest that the representative of the USSR proceed.

The PRESIDENT: I wish to thank the representative of the United States for reading in extenso those paragraphs. I hesitated to do so because I knew that members of the Council are anxious to get ahead. I think a very clear conception of the position in the Council is very helpful.

In my own mind I was not in such a difficulty as to know where the Council stands. I understood it to be an examination in the sense of clarifying the various portions of the report and deferring final conclusion where the Council feels it is not able to arrive judiciously at any

/conclusion

AME/sh

T/P V. 147  
68/70

conclusion.

I would suggest that the Council continue after recess at 5 o'clock.

The Council was suspended at 4:47 p.m., and was resumed at 5:12 p.m.

/The PRESIDENT

/The PRESIDENT

99

The PRESIDENT: I will first call upon the representative of the USSR to continue his questions.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): My question refers to document T/217, page 25, the last paragraph. Here it is said: "Within the present system, the Mission wishes to suggest that police court magistrates (who, under the present system, sit alone and are local administrative officials without special legal training) should always be assisted by a native assessor".

I should like to ask the Chairman of the Visiting Mission for an explanation. Does he consider it normal, at the present time, that this position should exist, under which police court magistrates are administrative officials without special legal training or preparation, and what measures does the Administering Authority take in order that there shall be in the courts magistrates belonging to the native population?

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): I think that it would not be quite accurate to say that the officials who are at present acting as magistrates have no special training in the administration of justice. Their legal training and their experience in dealing with the local population naturally lead them to administer justice in a perfectly normal fashion.

The Mission considered that it might be useful for the training of the indigenous population, and would perhaps give the magistrates a better knowledge of the subject matter from the native point of view, if they were given assessors. In the long run this might lead to the training of native magistrates who would take the place of the present European magistrates.

As regards the whole of this system, I have little to add to what is contained in the paragraph referred to by the representative of the USSR.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): In this connexion, I am not quite clear as to the next sentence in this paragraph. It says there: "If the European judge has a deciding vote when opinions are divided, the presence of the native adviser would not be a danger".

What danger is referred to here? That is what I would like to have explained, and, further, I would like to have a reply to the first part of the question which I have just asked, and that is, why no-one of the

/indigenous population

0

indigenous population sits in the court. What is the reason for this as the Visiting Mission established it?

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): As regards the danger referred to here, this is the danger which would arise in a court from assessors insufficiently honest or insufficiently informed as to the law and the administration of justice, who might, if they constituted a majority against a European magistrate or official who was both honest and informed as to the law, falsify the course of justice.

As regards the first question put by the representative of the USSR, I really do not have much information to give him. I do not quite see what could be done. The Visiting Mission, as I have said before, was only three weeks in this country. It was able to get a lively impression of the position in many respects, but it was impossible for it to enter into the details of the various branches of the Administration, particularly the administration of justice, and to be able to say ex cathedra whether this or that should or should not be done. That would be a very difficult thing for the Mission to do, and the Mission has never laid claim to having such authority.

(Interpretation from French):  
Mr. RYCKMANS (Belgium): Perhaps I could give a few examples from my own personal experience as to the possible danger of having the native assessors in a position where they could bring about a decision.

When a person is dead, and the cause of his death has to be ascertained many native assessors consider as conclusive evidence of culpability the fact that a witch doctor or sorcerer has given an opinion after slaughtering a duck and looking at its entrails. A native assessor might consider the report of such a sorcerer or witch doctor as conclusive, and Mr. Soldatov might, on the basis of such evidence, be accused in that country of murder.

/Another case

Another case is this: A chief finds the shell of a snail in his garden. There is supposed to be a remedy in the shell of this snail. But, on the basis of the evidence supposed to be contained in this shell, a person was accused of assassination because he was held to have introduced poison into the kraal of the indigenuous chief whose death was being considered.

The assessors were just as convinced of the culpability of this person as though real evidence had been supplied. No responsible European judge can expose himself to the risk of being overruled by such considerations.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): In the light of the reply given by Mr. Laurentio, the Chairman of the visiting mission, I would like to make a comment.

I would not wish for him to, in any way, understand my questions to denote any sort of lack of confidence on my part in the work of the visiting mission or to believe that there is any feeling on my part that the visiting mission did not conscientiously carry out its work. Nothing of the sort should be considered.

I know that the visiting mission was there for a very short time, and if I ask pointed questions, it is not because I am criticizing the mission in any way for not obtaining this information. It is simply that I am not quite clear about it and would like the information.

There is nothing in my comments or questions which could possibly be considered as a reflection on the mission.

The PRESIDENT: . . . Are there any more questions or observations? If not, I think this would be a convenient place to refer members to the petitions bearing on this chapter.

I refer to document T/264, page 2. The Secretariat has prepared a paper setting forth the general questions raised in the petitions which the Council felt should and could be taken in conjunction with the examination of the report of the visiting mission.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Could we perhaps consider the petitions after we have clarified all the questions which are not quite clear to us?

I, personally, would find it a bit difficult to go into the substance of the petitions before I have asked all the questions and have replies to the questions which I have on the report. These petitions are related to the report as a whole and to the various parts of the report.

Perhaps the other members of the Council would not find themselves in the same difficulty, but I do find it a little difficult to take up the petitions now. I thought that perhaps after all the questions have been

/asked



asked and we are through with the report, it would probably be a little more appropriate for us to enter into a discussion of the petitions.

I am, of course, not making any proposal of any sort at the moment. I am simply expressing what I consider would be more convenient in the procedure of this discussion. I think that would be a wiser way.

I do not insist in any way. This is simply an expression of my views on the matter.

The PRESIDENT: There are two ways of disposing of these petitions. The Council decided that decisions regarding private complaints could be disposed of immediately and decided to discuss these general questions in conjunction with the examination of the report.

For that purpose, the Secretariat has very carefully prepared this paper which the representative of the USSR will find corresponds with chapters of the report. Because it was thought that members might like to examine the questions in the petitions while they are on that chapter and with the contents still fresh in their minds, the Secretariat grouped the general questions in this way.

Therefore, the difficulty referred to by the representative of the USSR, does not seem to exist. All of the necessary questions on Chapter I have been asked.

Mr. BAKR (Iraq): I understand that we are not going to take a definite resolution on the report of the visiting mission. There will just be a preliminary discussion and recommendations.

Are we not going to decide on petitions as well?

The PRESIDENT: That is for the Council to decide. If the members of the Council feel that they can reach a decision or give a reply to the petitioner or make some other decision, that is entirely up to the members of the Council.

Mr. BAKR (Iraq): If we take the petitions together with the report, it seems to me that it would be difficult to reach a decision on them.

The PRESIDENT: I realize that.

Mr. RYCKMANS (Belgium) (Interpretation from French): I must say that there is a difference. As regards the report, the Administering Authority will have comments to make, whereas, as regards the petitions -- those which arrived in proper time -- the Administering Authority has already made its observations and submitted them to the visiting mission. I do not think that we can expect any further comments from the Administering

/Authorities

Authorities on the petitions.

I think that the file is complete unless the Trusteeship Council considers it necessary to ask for additional information. Otherwise, I think that, as regards the Administering Authorities, the file should be considered as complete.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): ~~Could we not finish the discussion of the report, as we had earlier decided, and having finished that discussion we could enter into a discussion of the petitions.~~

It seems to me that to take up the petitions parallel with our consideration of each section of the report would be very difficult. It would be difficult particularly since we have to come to a decision on each petition.

It seems to me that having completed the entire report it would be much easier to take up the petitions because we would have the entire picture.

Of course we could take up the petitions without even taking up the report at all. But it seems to me that the wisest course would be to finish our work on the report, make any comments which the members of the Council might feel it necessary to make on the report and then, having done that, to begin at once with a consideration of the petitions.

The PRESIDENT: That is another way of doing it. One way is to leave the petitions entirely alone and the other way is to discuss them as we finish each chapter. The decision is in the hands of the members of the Council.

Mr. SAYRE (United States of America): I confess that I have a great deal of sympathy for the views expressed by the representative of the USSR.

I wonder whether we would not save time because the two subject matters are somewhat different. If, as the representative of the USSR suggests, we complete our discussion of the report and then turn to the petitions, we might save time.

The PRESIDENT: We can do that.

Mr. BAKR (Iraq): I see on the time-table that the examination of the petitions is placed after the examination of the report of the visiting mission. The date for the examination of petitions is shown as 7 March on the time-table.

/The PRESIDENT

The PRESIDENT: The time-table has been revised since yesterday. In the footnote you will notice that under the item for 3-4 March, Report of the Visiting Mission, Ruanda-Urundi, there is this notation: "Including examination of general questions raised in petitions".

Those are general questions that were presented to the Visiting Mission on which the Visiting Mission has made some comments, and the Council felt, you will recall, that it could not deal with those questions until it had examined the relevant sections of the report.

It is for that reason that the Secretariat has taken infinite trouble in classifying it following the divisions in the report itself.

But if the Council feels that it should take it up after the examination of the whole report I think it would serve just as well. In that case I think we have completed the examination of Chapter 1, and we will proceed to Chapter 2 on economic questions.

#### CHAPTER 2 -- ECONOMIC QUESTIONS

The President: Are there any questions?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): On page 26 of document T/217, the impression can be definitely gained that the entire industry in the Territory is in the hands of Europeans. Perhaps the Visiting Mission has received information as to the extent to which the indigenous population of the Territory participates in the development of the mining industries of the Territory.

I have in mind here participation in the sense of investment of capital, not participation in the sense of working as hired hands -- as labour -- because of course we know that the labour force is the indigenous population. I had in mind here participation in the development of the mining industry in the sense of investment of capital and development of the industry in the capacity of, perhaps, directors of a given mine, directors of a given company, and so forth. That is what I would like to know. To what extent the indigenous population is in a position to carry out functions of this nature in the mining industry of the Territory.

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): I think that the report states the situation fairly precisely where it explains that the indigenous population does not / participate in the

participate in the management or direction of mining industries in Ruanda-Urundi. The same applies to the question of capital investment. There is no indigenous capital as far as we know, in these industries. But on the matter of capital it should be noted that there is participation in the mining industries by the state; that is, participation by the native population in the capital and in the profits of the undertaking.

Mr. SCLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I should like to ask the Chairman of the Visiting Mission how he explains the fact that the indigenous population does not participate in the mining industries. Is it explained by the fact that the indigenous population has no capital which they could invest in the development of these industries, or are there in existence any legal or political limitations which hinder the participation of the indigenous population in the development of the mining industries of the Territory?

I am asking these questions only if the representative of the visiting mission has this information to offer. If he has not, of course, I do not insist upon a reply.

Mr. RYCKMANS (Belgium) (Interpretation from French): That is not due to any legal incapacity. If a native wishes to buy shares in a mining undertaking he is perfectly free to do so. But I suppose that the representative of the Soviet Union knows African affairs well enough to know that at the beginning of the European occupation there was no native capital; there was no form of capitalization at all. Even to-day a native who has money buys cows. That is to him the only reasonable and logical investment. But in other countries, when people have money, they don't invest it in mining or other undertakings, but in diamonds, gold, jewellery, etc.

On the other hand the native has no technical training. They do not know how to prospect; they are not engineers; so that they have neither the knowledge nor the capital to encourage them to take an interest in mining undertakings.

I would add that as a general rule, although small, private capital is admitted into the mining industry for purposes of research and mining concessions, in fact the mining industry in general is an industry requiring large capital, and the small mining undertakings are in general handing over their interest to the larger undertakings.

/ As we have been told

As we have been told by the Chairman of the Mission, the Territory takes a part in industry inasmuch as the public authorities do put money into these undertakings.

I can give further information on this later. The government plays quite a big part in the mining industries and mining receipts for Ruanda-Urundi are a considerable part of the receipts on the budget of the administration.

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): I have nothing to add to what has just been said by the representative of Belgium.

It is the impression of the Visiting Mission in general that the indigenous population does not contain people either with capital sufficient to enable them usefully to take part in large undertakings, nor knowledge or technical qualifications which would enable them to serve in the higher ranks among those engaged in the mining industry.

/ Mr. SOLDATOV



Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I am not quite clear here as to the question of famine which exists on the Territory.

In reading the report of the Visiting Mission the impression can be gained that the reason for famine is considered to be insufficient rainfall and this is advanced as being the prime reason for famine conditions.

But in many parts of the world where there is insufficient rainfall, famine conditions have not been observed, and for this reason I would like to have an explanation from the Chairman of the Visiting Mission as to whether the famine conditions are entirely due to the irregular rainfall or lack of rainfall.

Famine does not always necessarily arise from the lack of harvest or crops on a particular area which may be caused by irregular rainfall or lack of rainfall. We know that organized societies avert the dire consequences of the lack of rainfall or irregular rainfall by certain effective measures to combat these natural failings.

I would like to know what the situation was in this regard in the Territory at the time the Visiting Mission was there. What were the implications and the results of the famine? What is being done by the Administering Authorities to reduce this danger? What measures are being undertaken by the Administering Authorities in order to provide for more or less permanent and stable crops which would be independent of rain?

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): The representative of the Soviet Union in this question has used an expression which seems to me very correct. He says that in a more or less organized society one finds remedies against such threats.

Now, the society of Ruanda-Urundi is very much less organized. When the Belgian authorities took control there, they did much to improve the situation. There were difficulties on account of the <sup>earlier</sup> situation before the Belgians took the place of the Germans.

The population continued to increase, largely as a result of the constant improvement in the health services, but we must  
/recognize

recognize that this difficulty -- crop instability -- was due to long-standing conditions and the threat increased in intensity as the population increased in numbers.

This is a point upon which the Belgian Administration deserves great congratulation. The Visiting Mission noted in the course of its journeyings throughout the Territory that the work done by the Belgian Administration has been very scientific and very effective. It was scientific in every way.

On the one hand, the authorities tried to find those crops best adapted to the various soils and climates of the Territory so as to get the greatest possible produce out of the area. This applies to wheat, maize and beans and in general to all these crops.

On the other hand, it must be remembered that the country was almost entirely without forests. Measures had to be taken for re-forestation to divert an aggravation of the risk of soil erosion. This re-forestation was begun just before the Belgians took over, by certain Catholic Missions, and since then the Administration has been responsible for this task and has planted trees and re-planted a number of areas, slopes and hills where erosion seemed to be imminent.

There is thus a development of the choice of crops and the extensive sowing of crops over new areas and also measures against soil erosion. Various plants were introduced . . . for the purpose of holding soil together; that is, plants with suitable root systems.

I may be overlooking some of the measures taken, but I am mentioning those which struck us most in the course of our visit.

The greatest use had to be made, also, of the lowlands. Some of these were marshy and the native population was not cultivating these areas. After draining and levelling operations had been carried out, the native populations were enabled to cultivate them and we did notice large areas in the bottoms of valleys now being cultivated. The crops there are likely to be very useful to the economy as a whole, since they supplement the crops grown in other areas and they are calculated to ensure the feeding of the population where other crops fail.

/I am

I am being very brief here and simply summarizing our general impressions. As a result of all these measures, and others which I have not mentioned, the risk of famine is being reduced.

We did not find a single administrator or agronomist of the Administration who felt entirely certain that no famine could arise in future. The risk still remains as a result of the increase of the population and also because one is always at the mercy of irregular rain and there is always the risk of repeated droughts following in successive years, as a result of which certain parts of the Territory may be very badly hit.

It seems to us that the only way to proceed will be to continue along the lines already entered upon, to develop still further the measures now taken, using all modern knowledge and then there remains the problem of over-population which is a problem which is independent of the agricultural question properly so-called.

When a Territory is no longer able to provide for its own food and the nourishment of its own population, solutions have to be found outside the sphere of agriculture properly so called in the country concerned.

/Mr. RYCKMANS:

Mr. RYCKMANS (Belgium) (Interpretation from French): I wish to add two points to what has just been said. One of them is mentioned in the report of the Mission, that is the introduction on a very large scale of permanent crops, in particular manioc and other crops, which were not grown before the Belgian authorities took over. These crops are being developed.

In the lower regions these crops are being increased particularly fast. They are crops which can be left for three or four years in the ground if the general economy suggests that that is desirable.

There is another point to be mentioned, and that is that there are now roads, a system of roads, which make the distribution of foodstuffs much more effective. With the produce of one hectare, the native is now able to purchase more than he could before. A peasant who grows coffee, for instance, can now buy with the produce of his land other crops which are very valuable to him.

In other words, there is a wider exchange of agricultural produce facilitated by the development of a road system.

The PRESIDENT: If there are no further questions, the Council will like to defer - Does the Philippine representative wish to ask questions?

Mr. CARPIO (Philippine): If we are going to defer now, I would be willing to postpone my question.

The PRESIDENT: There is a point which I would like to take up with the Council before we adjourn today. Perhaps you would defer your question until tomorrow, when the Council will continue to examine the report?

Mr. CARPIO (Philippines): With pleasure.

#### ~~DRAFTING COMMITTEE ON ANNUAL REPORTS~~

The PRESIDENT: The question I want to raise with the Council is the drafting committee for the formulation of reports on the annual reports from the various Trust Territories. It may be recalled that earlier in the session it was suggested that it would serve the purpose of the Council better to have one single drafting committee to draft the reports on all the Territories, in order to ensure uniformity of structure.

/In regard to

In regard to the composition of such a drafting committee, it was suggested that it should be a committee of the whole. The Council will recall that, during an earlier meeting, this question was discussed and it was decided that a drafting committee, on which each Member may be represented if it so wishes, would be appointed to draft the reports of the Council as a whole - that means all the reports - and subject them to the Council for consideration and approval.

It seems to me that that was the unanimous opinion of the Council, in fact I think this procedure was adopted by eight votes to one. But the decision was that it was going to be a committee on which each Member may be represented if it so wishes. I do not know whether it is necessary to ask each member of the Council whether he wishes to be represented on the committee? I think we may consider this a committee of the whole. Any suggestions?

If it is a committee on which each member may be represented, then I take that to mean a committee of the whole, and if any member wishes to attend he can do so. I do not know whether that is the best way of constituting the committee, but I have some doubts, because if the members can come they can go as they like, and that does not seem to be a very effective committee. But that was the decision.

Mr. CARPIO (Philippines): Maybe it is a good idea to try this procedure. Because that would perhaps avoid duplication of work. If we appoint a committee of four or six at which the others are not represented, you can be sure that when the report is submitted to the Council there will be a great deal of discussion on the part of those who were not represented in the Committee.

Each of us has his own ideas and plans, and I believe that a committee of the whole might perhaps be advisable, at least for a trial.

I notice that in the General Assembly the various main committees there are committees of the whole, and normally when a thing is recommended by, let us say, the Fourth Committee, almost always there would be the moral pressure for those who voted for it in the Fourth Committee to vote for it in the General Assembly, unless there are strong special reasons for voting otherwise.

I believe that it would be more in accord with what we think to be democratic procedure to try this out for once and see how it operates. We have found from our experience last year that there was a variety in the form of recommendations made by the various drafting committees, and perhaps that could be avoided by giving a trial to the committee of the whole.

/I remember



I remember it was the United States representative who made some sort of suggestion along those lines, and I do not believe that there is any really important objection to our trying it.

The PRESIDENT: Then, in the absence of any other expression of view, I will set up a drafting committee of the whole for the reports on the various Territories. That Committee will meet tomorrow at 11 o'clock, in this conference room, and it will begin to draft the report on Western Samoa.

Mr. RYCKMANS (Belgium) (Interpretation from French): If this is a Committee of the whole, will the question come back to the Council afterwards? If that is the case, I think it would be better for the Council to decide first what the report is to contain. That is a decision to be taken by the Council. The Council must decide what is to go into the report, and when that is determined, then the drafting whether by a committee of the whole or by the Secretariat does not matter very much, that can be done afterwards. But what is important is the decision as to what is to go in.

Our report last year I think was much too long, and the General Assembly does not expect of us a summary of the annual reports of the Administering Authorities. The General Assembly wants from us a general report as to whether the Administering Authorities have conformed to the Trusteeship Agreements and what recommendations are to be made, if any, to these Powers. But I think that we would save time if we were to decide first, in Council, what is to go into the report, and the drafting question would come afterwards.

/The PRESIDENT

The PRESIDENT: I think the Council has held these discussions and members have expressed their views. I do not see how the Council can now tell the Drafting Committee what is to go into the Report. I think that would be for the Drafting Committee to formulate, on the basis of the records.

Those questions can be thrashed out in committee; as to how it should be drafted, the length, contents, format, and so on.

The majority view seems to be that it should be a Committee of the Whole, and if it is a Committee of the Whole, I would take it that if the Committee has adopted a Report, it will be presented to the Council for adoption only as a matter of formality. Otherwise there would be no advantage in having a large Committee to do the drafting.

In that case, those delegations who choose to be absent from the Drafting Committee will have to abide by the decision and hold their peace afterwards.

It seems to me the only way that we can hope that a Committee of such unwieldy size can complete its drafting in time for presentation to the Council for adoption. In other words, I do not expect that the Council will debate the contents of the Report.

Mr. RYCKMANS (Belgium): Then this Report will be just a summary of the proceedings of the Council, in the same way as the report of a committee of any other body.

The PRESIDENT: No, I think it has to embody observations and conclusions and recommendations. The rules of procedure specifically state, in rule 101:

"The sections of the general reports of the Trusteeship Council to the General Assembly relating to conditions in specific Trust Territories, referred to in Rule 100, shall take into account the annual reports of the Administering Authorities, and such other sources of information as may be available, including petitions, reports of visiting missions, and any special investigations or enquiries, as provided for in Rule 97.

"The general reports shall include, as appropriate, the conclusions of the Trusteeship Council regarding the execution and interpretation of the provisions of Chapters XII and XIII  
/of the Charter

"of the Charter and of the Trusteeship Agreements, and such suggestions and recommendations concerning each Trust Territory as the Council may decide."

Sir Carl BERENDSEN (New Zealand): I have no objection to the course proposed, but I have a very distinct objection to the time proposed.

There has been no warning whatsoever that the Council, in committee, is to embark on the consideration of the Report on Western Samoa tomorrow morning. There has been a document presented to us this very afternoon, which I do not suppose anybody has read.

Is it seriously proposed that we are going to set out to draft, in connexion with Western Samoa, taking into account documents which have just been laid before us?

The PRESIDENT: I understand that it is not a new document; it is prepared for the convenience of delegates as a summary from the documents already distributed.

Western Samoa comes first by virtue of its being the first one to be completed, or to be discussed.

Sir Carl BERENDSEN (New Zealand): If it is intended to be for convenience, surely there must be time allowed for it to be convenient.

I have another difficulty: I must go to Washington tomorrow, and I had hoped that during the discussion of the drafting of the Samoan Report it might be possible for Mr. Laking, whom you all know and who is very intimately informed as to the conditions in the Territory, to be present. I cannot arrange it for tomorrow morning. I would be very grateful if it could be adjusted.

The PRESIDENT: I am very adjustable.

Sir Carl BERENDSEN (New Zealand): I am well aware of that, and I appreciate that very much.

The PRESIDENT: Would Monday morning be acceptable?

/Sir Carl

Sir Carl BERENDSEN (New Zealand): Yes, I think we could do that very well indeed.

The PRESIDENT: Then we will have the Drafting Committee meet on Monday, at 11 o'clock. The room will be announced later.

Sir Alan BURNS (United Kingdom): I only want to suggest that the Council ought to decide what will be the quorum of this committee. I do not think all the members are likely to attend, or even their alternates.

I think it would be convenient if the Council decided definitely before it adjourns what the quorum will be.

The PRESIDENT: I think it should follow the same rules of procedure as the Council, this being a Committee of the Whole. So that makes the quorum seven members; a simple majority of the Council.

Sir Carl BERENDSEN (New Zealand): Eight, I believe, Mr. President.

The PRESIDENT: Eight, is it? Then I have to confess that I violate that rule all the time. When I count seven members present I call the meeting to order.

Sir Carl BERENDSEN (New Zealand): Two-thirds; rule 50.

The PRESIDENT: I would suggest that the Council, in its first meeting, thrash out its household problems.

I remarked that I had violated the rule of the quorum in convening the meetings. I am afraid that was more in jest. Fortunately, whenever I called the Council to order, all the members seemed to appear at once, so there was no real violation there.

Mr. SAYRE (United States of America): With regard to the rule of quorum, remember that Rule 50 provides that:

"At any meeting of the Trusteeship Council two-thirds of the members shall constitute a quorum."

But Rule 67, which relates to committees, says:

/The procedure

"The procedure set forth in Rules 28 to 31, 36 to 38, and 51 to 63 inclusive, shall apply to proceedings of committees of the Trusteeship Council."

I then goes on to say that:

"The committees may decide upon the form of the records and adopt such other rules of procedure as may be necessary."

Under that rule it would seem to me that it is for the Committee of the Whole to determine on what shall be its quorum.

The PRESIDENT: I think the representative of the United Kingdom's suggestion was to ask the Council to determine the initial quorum, and I think the Council has the right to agree in advance about the quorum for the first meeting. The situation may arise that all the members are not present at the first meeting of the Drafting Committee, and then the question of adopting a rule of procedure would present some difficulty in knowing whether that rule has been properly adopted.

/Sir Alan BURNS



Sir Alan BURNS (United Kingdom): Could the Council not resolve itself into a committee of the whole now and decide on what the quorum is to be? It would save a lot of time.

The PRESIDENT: It can do so. In that case, I shall adjourn the Council now.

The Council adjourned at 6.11 p.m. to meet as a Committee of the Whole and reconvened at 6.12 p.m.

Mr. HOOD (Australia): I merely want to ask a question about the proposed schedule for next week. Three days have been set aside for discussion of the question of administrative unions. I have not been clear all along and I am still less clear now as to the subject of the discussion, because I notice that the Sub-Committee is not due to report fully to the Council until after the end of the present session of the Council.

Therefore, there will be no report from the Sub-Committee as a basis for the discussion except this interim report, and that of course contains a proposed list of questions to certain Administering Authorities.

Was it the intention of the Council that the answers to those questions should be available by next week, or are they to be made available to the Sub-Committee in the first instance? The latter will of course allow a much larger margin of time in which to provide the answers.

If the answers are not to be provided for the discussion next week, exactly what will the discussion be on?

The PRESIDENT: The Council will recall that it decided previously that it would like to receive an interim report from the Sub-Committee, and also to take advantage of the presence of the representatives the United Kingdom has sent to discuss this very technical question. In other words, the discussion will not be dependent upon the receipt of a report from the Sub-Committee.

The Council is adjourned until 2.30 p.m. tomorrow.

The meeting rose at 6.13 p.m.