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TRUSTEESHIP COUNCIL

Fourth Session

VERBATIM RECORD OF THE THIRTY-SEVENTH MEETING
(Transcription from Sound Recording)

Lake Success, New York

Friday, 11 March 1949, at 2.30 p.m.

President:

Mr. LIU CHIEH

China

The PRESIDENT: I declare open the thirty-seventh meeting of the fourth session of the Trusteeship Council.

EXAMINATION OF PETITIONS LISTED IN THE ANNEX TO THE AGENDA
 PETITION FROM A. J. SIGGINS (T/PET.2/55, T/PET.2/55/Add.1)(Continued)

The PRESIDENT: The Council was yesterday examining a petition from A. J. Siggins, documents T/PET.2/55 and T/PET.2/55/Add.1. Towards the close of the meeting the representative of the United Kingdom formally moved that the reply to the petitioner should be to the effect that the Council has considered the petition and has decided to take no action in the matter.

The representative of Belgium subsequently moved that the debate be closed. According to our rules of procedure each representative will have an opportunity to speak on that motion.

Mr. INGLES (Philippines): The Philippine delegation would like to make a few observations on the proposal that this Council take no action on the petition of Mr. Siggins.

While we have had an opportunity to express our views on the preliminary question as to whether Mr. Siggins should be granted an oral hearing or not, we have not yet had an opportunity to make clear our stand on the procedural question as to how this Council should dispose of the petition on its merits.

We indicated that we were in favour of giving the petitioner the chance to elaborate his petition orally on two fundamental points; namely, first, the alleged compulsory recruitment into the armed forces of indigenous inhabitants of Tanganyika, which on its face seems to be contrary to the Charter and the Trusteeship Agreement; secondly, the alleged injurious effects of the Groundnut Scheme on the Trust Territory indigenous inhabitants.

It is true that the representative of the Administering Authority made a specific denial of the first point, but it is up to this Council alone, in the exercise of its prerogative under the Charter, to decide whether to accept that denial and consider the matter closed, or to proceed and investigate the matter further.

On the part of the Philippine delegation we accept the denial of the Administering Authority on its face value. But we nevertheless thought that the petitioner should be allowed to appear before this Council to elaborate on the second point of this petition.

/The Council

The Council having voted to deny the petitioner's request for an oral hearing, it is incumbent on the Council to decide this petition on its merits, especially since the ad hoc Committee on Petitions recommended, and we have approved the recommendation, that this Council should consider the petition of Mr. Siggins as a perfectly legitimate one.

It is now proposed that this Council take no action on the petition. My delegation, however, considers that such a step would, to say the least, constitute a dangerous precedent.

With respect to the alleged compulsory recruitment, the Philippine delegation submits that this Council should take some positive action even if it be only to sustain the contention of the representative of the United Kingdom that there is no such thing in the Trust Territory of Tanganyika.

With respect to the groundnuts scheme, it has been argued that this Council should take no action because the Visiting Mission had already looked into the matter.

The petition under consideration, it must be remembered, was not submitted to the Visiting Mission, but direct to this Council. Neither had this Council referred the petition to the Visiting Mission for investigation.

We take note of the fact that the letter of the petitioner relating to the groundnuts scheme was received at Lake Success exactly one month after the Visiting Mission had rendered its report on Tanganyika. The least this Council can do, therefore, is to ascertain how far the specifications made by the petitioner are covered by the report of the Visiting Mission.

This Council has not even discussed the report of the Visiting Mission on Tanganyika. How can it, then, in all honesty and fairness, peremptorily dismiss this petition on the basis of a report that it has not so far considered. Yet that is exactly what this Council is asked to do by the proposal of the United Kingdom.

I would propose, therefore, that this Council defer action on the petition of Mr. Siggins until it has discussed the report of the Visiting Mission on Tanganyika. This is in line with the policy followed by this Council with respect to petitions of a general character relating to the Trust Territory of Ruanda-Urundi.

We had a schedule of other petitions for discussion after we had finished discussion of the report of the Visiting Mission on Ruanda-Urundi. I do not see why we should make an exception with respect to / this particular petition

this particular petition, or with respect to the Trust Territory of Tanganyika.

I formally propose, therefore, postponement of the discussion of the petition of Mr. Siggins until this Council has finished discussion of the report of the the Visiting Mission to Tanganyika, which motion under rule 56 paragraph (e) has precedence over the motion of the representative of the United Kingdom, not to take any action on the petition of Mr. Siggins.

If, however, my motion is lost, I reserve the right to speak on the merits of the petition in relation to the report of the Visiting Mission.

The PRESIDENT: We have now two formal motions. One is to decide that no action be taken in the matter and a reply be given to the petitioner to that effect. The other formal motion, from the representative of the Philippines, is that the Council will defer decision until it has examined the report of the Visiting Mission to Tanganyika.

To save time I would like to place both formal motions before the Council so that after members have spoken, I will be able to put both of these motions to a vote in their order.

Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): The facts contained in the Siggins petition, as noted already by the Soviet delegation, are worthy of serious consideration by the Trusteeship Council.

The petitioner protests against the British Authority's action in transforming the territory of Tanganyika into a fortified base. He also protests against British action in compelling the indigenous inhabitants of the territory to participate in military preparations.

At yesterday's meeting of the Trusteeship Council the attention of the members of the Council was drawn to the serious and grave character of this situation. In his letter of 1 September 1948 addressed to the Director of the Department of Trusteeship and Information on Non-Self-Governing Territories the petitioner protests against utilization of indigenous inhabitants for the carrying out of the Administering Authority's plan for the transformation of Tanganyika into a military base.

The petitioner notes that the Administering Authority is not interested in the progress of the indigenous inhabitants and in their information. The indigenous inhabitants have no way of getting their bearings on international developments or on local political developments. The Administering Authority takes advantage of the utter ignorance of the indigenous inhabitants for its own narrow materialistic interests and for the purpose of preparing war to be waged upon one of the members of the United Nations.

The petitioner makes it clear that the indigenous inhabitants of Tanganyika are being compelled by the Administering Authority to participate in military preparations in transforming Tanganyika into a military base for aggression against one of the members of the United Nations. All of these facts, as I have already noted, are worthy of very careful consideration. When such a serious accusation is levelled against the Administering Authority it ought to be natural to ask the Administering Authority to vouchsafe to us some explanation. In this case it is incumbent on the Trusteeship Council to ask the Administering Authority to give a complete explanation of the facts mentioned in Mr. Siggins' petition.

There is another issue raised by Mr. Siggins in his petition. This issue relates to the Ground Nuts Development Scheme. As is well known, the question of the Ground Nuts Scheme in Tanganyika was already mentioned in a discussion at the last session of the Trusteeship Council.

/The substance

The substance of the plan is that a tremendous area, two-and-a-half to three million acres, has actually been taken away from the indigenous population of Tanganyika and they have been subjected to exploitation by the Overseas Food Corporation. The British territory is investing about 24,000,000 pounds sterling in that scheme and this is what you were told at the last session of the Trusteeship Council by the Special Representative of the Administering Authority.

Also at the same session of the Trusteeship Council the Special Representative for Tanganyika told us that in elaborating the Ground Nuts Development Scheme the Administering Authority failed to consult in any way with the indigenous population of Tanganyika. The decision when it was taken was adopted without obtaining the acquiescence of the indigenous population in any form, shape or manner -- even in such indirect manner as might have been afforded through any kind of elementary consultation of local leaders.

The Administering Authority averred that lands allocated for the Ground Nuts Development Scheme is of no direct interest for the local population at the present time. However, the petition tells us that this whole Ground Nuts Development Scheme is directed against the interests of the local population.

The letter of 22 November 1948 has annexed to it some clippings from "The Times". In quoting an article from "The Times" of 21 November 1948 he tells that some man by the name of Clyde Higgs visited Tanganyika at the beginning of 1948 and later went for a second visit as well. In the article Mr. Higgs told about a feeling of "impending upheaval" coupled with serious dissatisfaction on the part of natives employed by the Overseas Food Corporation. He said that within six months in one region as a result of that feeling there was a 100 per cent labour turnover.

The facts told to us by the petitioner are worthy of serious investigation and enquiry.

Furthermore the petitioner requests that he be granted an opportunity of making an oral communication to the Trusteeship Council. He says that he is in a position to submit additional information for the benefit of the Council.

As is well known, the representative of the United Kingdom insists that the petitioner be not permitted to make an oral statement before the Trusteeship Council. Such a position taken by the representative
/of the United Kingdom

of the United Kingdom on this matter compels us to raise the following question: Does not the Administering Authority dread lest the additional information that may be submitted by Mr. Siggins make still clearer and still more obvious the various measures taken by the Administering Authority in Tanganyika for purposes that are not compatible with the provisions of Article 76 of the Charter, which says that it is up to the Administering Authority "...to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence".

In this connection I should like to note the fact that the petition also claims that the Administering Authority is violating the provisions of Article 84 of the Charter. Moreover, I am in receipt of a document, T/224/Add.2, dated 10 March 1949 which says that Mr. Siggins has ^{submitted} some more material. Perhaps some other members of the Council have already received these documents or some of them. As far as the delegation of the USSR is concerned it has not been afforded the opportunity of studying such additional documents which may be available.

Thus the Soviet delegation considers that both the petitions and the facts communicated by the petitioner are worthy of very serious consideration by the Trusteeship Council. It is obvious to the Soviet delegation that in this connexion it behooves the Trusteeship Council to ask for an explanation from the Administering Authority as to the substance of the petition of Mr. Siggins. Furthermore the Trusteeship Council cannot solve the substance of that problem lacking additional information from the petitioner himself, either in oral form or in view of the fact that the decision has been adopted that the petitioner cannot be admitted to the Trusteeship Council himself to make an oral communication -- in view of that fact let him then submit the additional information in writing for the benefit of the members of the Council.

These are the basic points which the Soviet delegation wishes to advance in connexion with the matter.

As to the issue whether these questions should be put to the vote now or not the Soviet delegation reserves the right to submit formally proposals in this connexion after we have solved the question as to whether we shall continue considering the substance of Mr. Siggins' petition now independently of the consideration of the report on Tanganyika or whether we decide to consider the matter in connexion with the report on Tanganyika.

/If we decide to

If we decide to consider the Siggins petition in connexion with the report of the Visiting Mission on Tanganyika, the delegation of the Soviet Union will submit its additional proposals at that time, when we discuss the Siggins petition in connexion with the report of the Visiting Mission that went to Tanganyika.

If, however, the proposal of the representative of the Philippines is not adopted, then the delegation of the Soviet Union reserves the right of submitting its proposals formally after a vote has been taken on the proposal of the representative of the Philippine Republic.

The PRESIDENT: If there are no further observations, I will put the motion of the representative of the Philippines to a vote.

The motion is that the Council postpone the discussion of the petition until it has examined the report of the Visiting Mission on Tanganyika.

A vote was taken by show of hands.

The motion was not adopted, 6 votes being cast in favour and 6 against.

The PRESIDENT: In accordance with the rules of procedure I will adjourn the Council for one minute.

The Council was adjourned at 3.01 p.m. and re-convened at 3.02 p.m.

Mr. RYCKMANS (Belgium) (Interpretation from French): It seems there is a certain confusion which has prevailed in connexion with this petition.

The representative of the Philippines asks for a postponement of the discussion of Mr. Siggins' petition until after the discussion of the report of the Visiting Mission to Tanganyika.

But the object of Mr. Siggins' petition is to draw the Council's attention in particular to the ground nuts scheme. However, the Council's attention has already been drawn to the ground nuts development scheme in the past.

/In this

In this connexion, Mr. Siggins' petition does not suggest any special additional action.

Let us assume that the Trusteeship Council having considered the ground nuts development scheme reaches the conclusion that the plan is a bad one and ought to be junked. Does this mean that we are going to inform Mr. Siggins that it is as a result of his petition that the Trusteeship Council decided to recommend the junking of the ground nuts development scheme?

Of course note Mr. Siggins' petition has nothing to do with this matter.

The reason why we consider that the petition must not be acted upon is not that we are deciding hereby in advance that it is not up to the Trusteeship Council to deal any more with the ground nuts development scheme, but because we consider that the petition of Mr. Siggins has no object; the situation to which he draws our attention has already been considered by the Council and the Council has taken it under advisement.

Therefore, when we are asked today to wind up the matter, to take no action on it, it is not because we consider that the discussion of the ground nuts development scheme is finished or in any way would up at all.

The PRESIDENT: Those who are in favour of the Philippines motion to postpone the decision on the petition until it has examined the report of the Visiting Mission on Tanganyika, please raise their hands.

A vote was taken by show of hands.

The motion was not adopted, 6 votes being cast in favour and 6 against.

The PRESIDENT: There is no majority, and the motion is lost.

The representative of the Soviet Union asked that an opportunity be given him to make another motion after the vote on the Philippines motion. I would suggest that he should do it now, because if we are going to vote on the other motion now before us, the question would be closed.

/Mr.SOLDATOV:

Mr. SOLDATOV (Union of Soviet Socialist Republics)
(Interpretation from Russian): I move formally that the
Trusteeship Council adopt the following decision:

"The Trusteeship Council, having given preliminary consideration to Mr. Siggins' petition, decides to ask the Administering Authority to submit its observations and comments with respect to the aforesaid petition in written form.

"The Council further decides to ask Mr. Siggins to submit additional information in written form."

The PRESIDENT: There is a motion by the representative of the Soviet Union that on this petition by Mr. Siggins the Council requests the Administering Authority to submit its observations in writing, and at the same time asks the petitioner to furnish the Council with further information, also in writing.

I am trying to see which is furthest removed from the original position.

Mr. SOLDATOV (Union of Soviet Socialist Republics)
(Interpretation from Russian): There was a proposal by the representative of the United Kingdom; there was a proposal by the representative of the Philippines; and there is also a proposal by the representative of the Soviet Union. The Philippines proposal has been voted upon; now it would be natural to vote on the Soviet Union proposal with a view to voting subsequently upon the proposal of the representative of the United Kingdom. There are no rules of procedure which would in any way modify this due parliamentary procedure as regards the taking of a vote. I do not see where the misunderstanding lies at all.

The PRESIDENT: The motion of the representative of the Philippines was one to defer discussion, and under our rules of procedure that has precedence. The motion by the representative of the United Kingdom was to take a decision to the effect that no action is called for on the part of the Council, and the representative of the Soviet Union makes a motion which would

/in effect,

in effect, be a postponement of the discussion, so if we apply the rule that the motion which is furthest from the original should be put to the vote first, then the motion of the United Kingdom delegation should come first.

If we consider the representative of the Soviet Union's motion as in effect a motion to defer discussion, then I think that motion should come first. Is that correct?

Mr. RYCKMANS (Belgium): We have just voted that there was to be no postponement.

The PRESIDENT: I have to reason it out aloud, as I have no time to reason it out in my mind. The motion which was defeated was that we would not discuss this petition until we had examined the report of the Visiting Mission to Tanganyika; it was not a simple deferment. This motion is a deferment, but with another approach. I do not think it can be likened to the previous motion. Therefore I will put the motion of the representative of the Soviet Union to a vote.

Mr. HOOD:

Mr. HODD (Australia): On a point of order, might we just pursue the matter a little further? It seems to me the motion of the representative of the USSR is not even by implication a motion for deferment; it is a motion suggesting a method of handling this matter in the Council.

If the United Kingdom motion is put and lost, then it will be for the Council to determine how to handle the matter, and there may be other ways of handling it besides the way suggested by the representative of the USSR.

I submit therefore that it would be proper to determine first whether the Council is to handle the matter at all, and that decision having been taken, to act accordingly afterwards.

The PRESIDENT: No, because the representative of the United Kingdom's motion, if carried, will put an end to all the discussion. If the representative of the USSR's motion is carried, then the discussion will still be continued at some future date. Therefore it is a deferment.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I see that we just cannot do without a procedural wrangle. Therefore, in order not to waste another couple of hours on a procedural wrangle, I intend to modify my resolution and to have it changed as follows:

"THE TRUSTEESHIP COUNCIL

"HAVING GIVEN preliminary consideration to the petition of Mr. Siggins,

"DECIDES to postpone the consideration of the petition of Mr. Siggins until the receipt from the Administering Authority of its comments and observations with respect to the above-mentioned petition, and until the receipt from Mr. Siggins of additional information in written form."

The PRESIDENT: The representative of the USSR has formally amended his motion to make it both in effect and in form a motion for deferment. I will put it to the vote. The motion is to defer the petition until the Council has received the observations of the Administering Authority in writing and also further information from the

/petitioner

petitioner in writing.

Mr. RYCKMANS (Belgium): The Council cannot vote on that motion because the Council has not decided to request any supplementary information. How can you defer until you receive information when you have not asked for any information? Let him put in the motion that the Council asks for information, and when the Council will have voted that it asks for information from the Administering Authority (which it has no right to do) and from Mr. Siggins, then eventually the Council might vote to postpone until we have got that information. But you cannot postpone until you have got information as long as you have not asked for any.

The PRESIDENT: It seems to me that the separate steps could be combined in one. I would presume that those representatives who do not wish to ask for further information would vote no. The effect would be the same, only it would save another voting.

A vote was taken by a show of hands.

The USSR motion was rejected by 6 votes to 5.

The PRESIDENT: Now we come to the United Kingdom motion, that is that the Council decides that no action is called for in the matter.

Mr. INGLES (Philippines): I remember having reserved my right to speak on that particular proposal of the United Kingdom.

The PRESIDENT: Would you like to speak now or to speak when you come to examine the report of the Visiting Mission on Tanganyika?

Mr. INGLES (Philippines): I refer to the substance of the petition in connexion with the report of the Visiting Mission, because I find that the petition and the report are so intimately connected that one cannot limit one's observations only to the petition, for example, without examining the report of the Visiting Mission.

The PRESIDENT: Would it not be more proper to discuss the substance in connexion with the examination of the report itself or do

/you want to speak

you want to speak now?

Mr. INGLES (Philippines): The reason why I presented a motion ^{was} to postpone discussion of the petition until we shall have finished the report of the Visiting Mission.

The PRESIDENT: That motion has been lost.

Mr. INGLES (Philippines): Precisely. I reserved my right to speak.

Mr. GARREAU (France) (Interpretation from French): I think that a vote was taken yesterday about the closure of the discussion, was it not? Yesterday, if I am not mistaken, we voted to know whether we could or not close the discussion. We voted accordingly so that we had to proceed to a vote on the closure.

The PRESIDENT: The motion is before the Council and representatives are entitled to speak on this particular motion.

I am aware that the representative of the Philippines, when he made his own motion, did reserve the right to speak on the substance of the petition, but I would think that it is more correct to speak on this present motion, because in discussing the present motion, there is nothing to prevent the reasonings leading to the observations ^{from touching} on the substance

But if the representative of the Philippines would like to discuss the substance, or rather the points raised in this petition, then I would think there would be another opportunity for him to do so when we discuss the Visiting Mission's report, because these points are raised there and there is nothing to prevent him from discussing them, but not on the petition itself, but on the points raised in the petition.

Mr. INGLES (Philippines): Conforming to the suggestion of the President, I reserve the right to speak on the points raised in this petition until we discuss the report of the Visiting Mission, so as not to delay unduly the proceedings of this Council.

The PRESIDENT: I will put the United Kingdom motion to a vote, namely that no action is called for in the matter.

/A vote

A vote was taken by a show of hands.

The United Kingdom motion was adopted by 6 votes to 2.

The PRESIDENT: I would take it that this decision means that the Council does not feel that any action is called for in regard to the petition and the drafting committee will have to formulate a reply as with other petitions.

Mr. RYCKMANS (Belgium): Is it necessary to refer that to the drafting committee? I think the Secretariat can draft that letter without any difficulties.

The PRESIDENT: I think the procedure for all petitions is that the Drafting Committee will base its draft on the various petitions on decisions taken by the Council, and will then present their draft to the Council later.

GENERAL QUESTIONS RAISED IN PETITIONS CONCERNING RUANDA-URUNDI
(Document T/264)

The PRESIDENT: Yesterday I said that the Council would take up Mr. Siggins' petition first, because of the question raised earlier as to whether the petitioner should be granted oral presentation.

The other question that was on our agenda, preceding Mr. Siggins' petition, was that of general questions concerning Ruanda-Urundi. That was deferred because the Council wanted to go ahead with the discussion of Administrative Unions.

These petitions, most of which came through the Visiting Mission and which raise general questions concerning Ruanda-Urundi, are contained in document T/264, dated 2 March 1949. In that document the Secretariat has made a classification of all the general questions raised, together with the observations of the local administering authority and the Visiting Mission.

Are there any observations on this paper, or on the general questions raised in the various petitions?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): We have already discussed the question of the order in which the petitions were to be taken under advisement.

If I recall correctly it was decided to discuss the petitions one after the other, and not necessarily in the order in which they are listed in the Secretariat document.

I wished to recall this understanding^{ing} which was reached in the Council, and which was confirmed by the President of the Council, to the effect that we would consider the petitions one after the other, with a decision on each, in that order.

The PRESIDENT: These petitions raise various questions of a general character. It is true that the Council may refer to the petitions individually, but the questions overlap.

/There are two

There are two approaches: if the Council wishes to dispose of the petitions as petitions, individually, it can take them as they come; but if it wants to discuss the general questions raised in the petitions, then I believe document T/264 is a more convenient working paper, in that it shows at a glance the subject matter raised, the observations by the local administration and by the Visiting Mission.

The general questions raised are matters of public interest, rather than of individual concern to the petitioners. Therefore it would seem to me that the proper reply is for the Council to inform the petitioners that the questions they raise in the petitions have been discussed by the Council, in conjunction with the report of the Visiting Mission.

It would be within the competence of the Council, in its general supervision over the administration of these Territories, to decide as to what decisions and what action the Council would take.

It seems to me that it is not the individual petitions which are of primary concern at this moment, because the subjects raised are of a general character and are of general public interest.

Mr. RYCKMANS (Belgium) (Interpretation from French): I fully agree with what the President has just said.

Generally speaking, let us take the case of a communication to the Council which draws its attention to certain problems -- incidentally, such a communication would not necessarily come directly under the definition of a petition, but let us leave that aside.

Let us suppose, for instance, that a petitioner -- a private person -- turns to the Trusteeship Council and asks it to take under advisement the status of public health, or of labour and legislation, in a certain Trust Territory. Will the Council, in reply to that petition, say: "Yes, we are going to take under advisement the health situation of that certain Trust Territory", or would the Council reply to that gentleman, as suggested, that the health situation will be examined by the Council when it takes up either the Annual Report or the report of the Visiting Mission, or both, and that no other action is called for with respect to the petition?

Obviously, if the Council takes under advisement the health situation of a Trust Territory, it is not as a result of the petition of a gentleman who has drawn the Council's attention to its duties, but simply because it was within the duties of the Council, and the Council does carry out its duties.

/Therefore I agree

Therefore I agree that not only in these cases, but in all analogous cases, the petitioner should merely be advised that the questions to which he^{has}/drawn the Council's attention are already under advisement, and will be taken up by the Council during the carrying out of the Council's normal duties.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I do not quite understand this certain point. We once decided how the petitions would be considered

Is it now suggested or intimated that it is incumbent on us to take another decision?

The PRESIDENT: I did not suggest that. It is for the Council to decide. Here is a paper prepared by the Secretariat, in accordance with a previous decision of the Council that these general matters can be discussed in conjunction with the Visiting Mission's report.

Some of the subjects may already have been discussed in the observations of representatives when they examined the Visiting Mission's report, but as subject matter raised in the petitions, they are here again tabulated in this paper, if representatives would like to make further observations on them.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): This question was already settled by the Council, and I well remember the President's ruling -- perhaps it was not a ruling, but it was an understanding which was specifically expressed--to the effect that the Council would consider the petitions in their order, and not in the order in which they are submitted in the document.

This question has already been discussed. That is why I am asking whether we are going to reconsider the understanding which was reached in this Council, or whether we are going to adhere to the order which we had agreed upon.

/If some of the members

If some of the members of the Council do not remember our understanding in that respect, they might prod their memories by looking up the verbatim record of the meeting of the Council in that connexion.

Mr. SAYRE (United States of America): It seems to me that the suggestion which the President made was a very wise and a very helpful one. So far as our previous decisions in this Council are concerned, although I may be incorrect, I thought that we divided the petitions into two groups; one group which concerned rather personal or individual matters and a second group which concerned public issues. I thought that we had decided to discuss and act upon the first group at one time but that we decided to consider the second group when we discussed the general subject matter of the Visiting Mission's report.

If I understand correctly, we have decided to postpone the action on the Visiting Mission's report until the June session. Therefore, it would seem logical to me -- as the President has suggested and as the representative of Belgium has suggested -- that we consider the material included in these petitions when we consider the report.

In the meantime, I should think it would be in order to inform the petitioners that we have received the petitions and that the matters dealt with in the petitions would be taken up in due time by the Council.

I understood that to be the suggestion of both the President and the representative of Belgium. It seems to me to be a wise and a logical way to deal with these matters. Should we reach any different conclusion, I, myself, would have a great deal of difficulty in treating the matters dealt with because, until we reach conclusions on these public matters dealt with in the Visiting Mission's report, I do not see how the Trusteeship Council can possibly reach definitive conclusions on the matters dealt with in these petitions since they are the same.

Therefore it seems to me that the President's suggestion is very wise and logical.

Mr. RYCKMANS (Belgium) (Interpretation from French): There is a shading with respect to which there should be no misunderstanding.

The way in which I venture to interpret the President's suggestion was to settle the matter of all these petitions by writing to the petitioners that their respective communications have been submitted to the Council and that the Council would take up all questions of general interest which they raised in connexion with the carrying out of its formal duties. As far as the petitioners are concerned, that would be all there is to it.

/If the representative

If the representative of the United States agrees to that, well and good. However, from what he said I did not quite understand whether his proposal boiled down to the same idea or whether he was suggesting to postpone the consideration of those petitions until the Council winds up the consideration of the report of the Visiting Mission.

As far as I am concerned, the petitions are finished whereas all questions raised by the petitioners remain open. I want, however, to get some decision from the Council concerning communications drawing the Council's attention to matters of general interest, without making any specific suggestion in the interest of the individual petitioner, that such petitions be considered as mere communications, that they be included in the archives of the Council in connexion with the carrying out of its duties, but that they not be dealt with as genuine petitions. Otherwise, the Council would be placed in a rather ridiculous position. People, under the pretext of submitting petitions, would draw the Council's attention to matters of which it has become aware in the course of the regular execution of its duties.

The petitioners might get a reply from the Council that the petition has been acted upon and might assume that the Council took such action because of that petition, despite the fact that the Council would have taken exactly the same action, even if the petition had not been submitted, because of the fact that the Council must carry out its duties.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): When we considered the report of the Visiting Mission to Ruanda-Urundi some days ago, we took up this particular question. It was decided that we would consider the petitions after having concluded the preliminary consideration of the report and that we would consider these petitions, not in the order in which they appear in the document of the Secretariat, but petition after petition, in their natural order.

This was the understanding which was reached by the Council and, if it is necessary to prod anyone's memory, it will suffice to consult the verbatim record of the meeting when this particular understanding was reached. That decision of the Council remains in force unless it is reversed.

As regards the statement of the representative of Belgium to the effect that the petitions must be divided into two parts, some petitions deserving the Council's attention and individual consideration with replies to the petitioners with respect to the substance of the petition while other petitions would be placed beyond the pale and relegated to the second class with the understanding that the Council

/does not

does not have to consider them and with respect to which the Council merely has to evade the issue altogether.

Why such cleavage? Why such division? A petition is a petition and we understood this from the very beginning of our session. A petition is a petition, ^{and} a petitioner has signed it.

In some cases a petitioner may merely complain of the actions of the Administering Authority. He may complain that he has been persecuted or wronged. In that case he is correct in writing to the Trusteeship Council and asking for the Council's succor. But in that case he merely raises his own personal interests.

But there are other petitions where some resident or citizen of a Trust Territory raises a question, not only in respect of his own needs and complaints or wrongs, but on a more serious, more generalized issue with respect to the interests of the whole Trust Territory concerned. In other words, such a petitioner may sometimes be also wronged individually but he may decide that his individual interests are not as significant as the interests of the whole Trust Territory.

If we look at it in that way and consider our duty of promoting the interests of the Trust Territory as a whole, the petitions of the second class are no worse than the petitions of the first class and they are no less deserving of attention than the petitions which include specific complaints of wrongs which may have been done to an individual as a result of the actions of the Administering Authorities, or allegations with respect to that.

But, the petitions which have thus been named as petitions of a general character are also petitions in the genuine sense of the term. If we approach the matter from a historical point of view, if we look at the kind of petitions that are deserving of attention, then we will see that private petitions may play a part in the fate of an individual human being, but as regards petitions which refer to the fate of an entire country, such petitions are still more important since they play a tremendous role in the development of a whole country. The example of European history for the last 150 years shows that there have been numerous petitions of such so-called general character which have played a decisive role in the development of a certain country.

/Therefore, I submit

Therefore I submit that it does not behoove us to cleave all the petitions into two categories and to brush aside a whole category of petitions, despite the fact that these petitions are particularly important from the point of view of the general problems that are the properties of the Trusteeship System.

That is why I consider that, since we have received these petitions, it is incumbent upon us to reply to the petitioner with respect to those petitions. We have to inform the petitioner what action has been taken. We have to take them into consideration one after the other in the order of their submission and we have to adopt appropriate decisions.

The PRESIDENT: I may perhaps, before I call on the representative of Mexico, explain that we are not only dividing the petitions into two groups as the representative of the United States has said. There are some petitions which contain in part individual complaints, and in part raise a public issue.

It seems to me that the Council has considered these petitions singly. Where there is an individual complaint where the Council can take action, the Council has made its decision to take action or to take no action. That part of the petition can be replied to by the decision taken by the Council.

In regard to the other part -- for instance, if the petitioner says that he has been persecuted -- that is an individual complaint, and the Council may have taken some decision about it.

Then it seems that same petition may refer to racial discrimination which is a matter of general public interest. It seems to me, therefore, that the Council did consider these petitions singly, but insofar as public issues are concerned, as far as I can remember, the Council felt that this problem could be discussed in conjunction with the Visiting Mission's Report.

In my mind, these problems should be discussed as matters of general public interest rather than from the point of view of the petitioner. It is true that, under our rules of procedure, the petitioner is entitled to be informed what action has been taken by the Council. Then I submit that, in regard to these public issues, if the Council has discussed them and has taken action on them, this action will be contained in the records of the discussions of the Council and these records can be made available to the petitioners.

/It seems to me

It seems to me, therefore, that the Council may be well advised to discuss these problems now listed under document T/264 as matters within the competence of this Council and as matters of public interest, rather than from the point of view of the petitioner. But in doing so, I suggest that we take document T/264 as the basis. If the Council feels that it would like to take individual petitions, refer to that issue and then come back to document T/264 to find out what the observations of the Visiting Mission and the local administration are, that is another way of doing it.

On consulting the verbatim records, in document T/PV.127 on page 2, I made this summing-up: "When we have examined all of the personal complaints, we might try to classify and list the general problems, after which we might have a general discussion of those chapters or sections of the Report of the Visiting Mission to which they relate." Now, since we have discussed all the sections of the Report, it remains only for the Council to discuss this paper in reference to that Report.

The Council will recall that, in laying before it the Report of the Visiting Mission, I also submitted document T/264 and suggested that as we discussed each chapter we would come back to document T/264 and refer to these problems. At that time I believe that the representative of the USSR suggested that we should finish the whole Report first and then discuss document T/264. That is why we now have the whole of document T/264 under discussion in reference to the whole Report of the Visiting Mission instead of doing it by chapters. Is that clear?

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I have searched in the rules of procedure for a rule that would establish the conditions in which the petitions should be studied and which would, furthermore, make a special requirement. The only requirement I find is that the Administering Authority be aware of the petitions at the time when it is submitted. I have not seen any further special requirement.

Petitions, whether they be general, or private and particular in their nature, are petitions. I can see no difference as amongst the petitions and I do not see by means of what reasoning we can reach that extreme view which has been stated here that these are merely informative documents. I think that is far from being the truth. I think that petitions of a general nature are more generous in spirit and, naturally, more important in their content and effect so far as

/they are not

they are not personal, and would therefore be those to warrant greater consideration from the members of the Council.

In connexion with the particular case that has been raised here of postponing the study of document T/264 to a subsequent time, my delegation believes that, for reasons of time and urgency, we could agree to consider other matters and not this document, but in principle my delegation cannot agree to the statement that conditions be put upon the discussion of the petitions that have no bearing upon them, because there is no warrant for this procedure in the rules of procedure. There is no provision that could be interpreted in this way either.

You might even have the case of a petition that could refer to two Territories. The matter would then become very complicated for us because we might find ourselves in the situation of not being able to study the petition immediately if this precedent were accepted. We would first have to study the Report of some Visiting Mission that had visited the Territory and we would perhaps have to wait for the return of the Visiting Mission to the other Territory because we would not have that report either -- perhaps that report would not even have begun to be drafted.

You cannot set conditions that are alien to the petition for the consideration of the petition. The Administering Authorities are required to be aware of the petitions because they can give their antecedents and the associated circumstances. For this purpose time is generally allowed, but as the problem has arisen it seems to me that there has been time for this procedure to be met, and my delegation would therefore state that we cannot accept as a precedent that any petition be postponed for consideration by virtue of some alien consideration. We cannot postpone the study and analysis of any petition by virtue merely of the fact that we have to consider other documents in the Council.

Petitions take priority over other documents so far that there is a special provision in the Charter that covers them and they are mentioned before the provision regarding reports of a Visiting Mission, which means that the people who drafted the Charter attached a higher importance to petitions than to reports of Visiting Missions.

/The PRESIDENT:

The PRESIDENT: I think it is very necessary to make it quite clear that, before another suggestion that petitions can be treated as formal communications, I agree with the representative of Mexico that a petition is still a petition even if it touches upon a matter of public interest.

As a matter of fact, it may be an even more important petition than a petition containing an individual complaint.

The circumstance leading to the present procedure is this: most of these petitions are transmitted through the Visiting Mission and the Visiting Mission has had an opportunity to look into the cases presented in these petitions while it was in the Territory and has made observations in the report, and also has received the reaction of the local administration.

It was for that reason that it was considered advisable to discuss them in conjunction with the report of the Visiting Mission, and in view of the special circumstances which lead to the present procedure.

Did the representative of the USSR desire to speak?
Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): No, I have already had my say. I merely requested a clarification, but in requesting a clarification, I had already had my say with respect to the substance.

I merely recalled the ruling in connexion with the Ruanda-Urundi report. I wondered why we are again wasting time on the consideration of a procedural issue while it would behoove us to consider petitions now. I am quite sure we would have gotten through half the petitions by this time while we are still busy with the procedural angle.

The PRESIDENT: Is it agreed that we are now concentrating on document T/264?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): In other words, we are hereby violating the understanding which was reached with respect to the consideration of petitions in their order.

The PRESIDENT: I do not know whether we are violating anything. I have been reading the verbatim record of the Trusteeship Council which says:

/"When we

"When we have examined all the personal complaints, we might try to classify and list the general problems, after which we might have a general discussion of those chapters or sections of the report of the Visiting Mission to which they relate."

Members of the Council will note that, in document T/264, the identity of each petitioner is clearly stated there. The representatives may refer to the original petitions, but the petitions are summarized in this document and, along side the summary, the observations of the local administration are given as well as the observations of the Visiting Mission.

It seems to me, therefore, that it would be more convenient to use this paper. That is not to say that we obliterate the existence of any petition.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): In that case, I should like to recall the antecedence of that question when the matter was taken up in the Council. The question arose in the following way.

Were we going to discuss petitions in connexion with the consideration of the report of the Visiting Mission? Were we going to take up petitions related to Chapter I or parts of petitions relating to Chapter I in connexion with such chapter? Would we then take up Chapter II and consider petitions or parts of petitions relating to such chapter?

When this question arose we decided that this would be most inconvenient and we agreed that we would first consider the report of the Visiting Mission, and thereupon, consider the various petitions.

Then the question arose of the way in which we would consider those petitions. At that time, not only the representative of the USSR, but some of the other members of the Council agreed that petitions ought to be considered one after the other in their natural order, rather than in the order of this document.

There were no objections to that point of view. I requested that that part of the verbatim record which relates to this particular aspect of the matter be looked up. Is this part of the verbatim record available? Perchance I am mistaken; perchance my memory deceives me, but I seem to recall quite distinctly that we

/decided to

decided to consider the petitions in their natural order.

The President stated that this document does involve certain drawbacks regarding the consideration of petitions. That is how the matter shapes up. Therefore, it seems to me it would be best for us to consider the matter in the way on which an understanding was reached among the members of the Council.

The PRESIDENT: I think it amounts to the same thing -- whether we take them singly or as they are set out in document T/264 -- because in that document the petitions are referred to as individual petitions.

If the subjects of petitions overlap, for instance, there may be three petitions on the same issue, consideration of the petitions individually will necessitate a triple discussion on the same subject. Whereas if petitions relating to one subject are grouped together, as those on racial discrimination, the subject may be studied at length, because I do not think the Council would treat the same matter raised in three petitions in three different ways. It can only be dealt with in one way.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): There is a document, T/234, and we did consider some petitions in that document. Then it was decided that petitions which involved not only personal questions but also questions relating to the political, economic, educational or other phases in Trust Territories would best be considered when the report of the Visiting Mission was being considered.

For purposes of convenience and cogency, there was no question of not considering the petitions one after the other. That was the understanding which was reached when the Ruanda-Urundi report was considered a few days ago.

I press this point because if we take such an attitude with respect to petitions -- that not all of them are of equal worth -- then we may find ourselves violating all our principles that govern the consideration of petitions.

We can avoid that very easily. We can take up the petitions one after the other. We can do it very rapidly. If the same questions are raised in two different petitions, there is no need of overlapping or repeating.

/The PRESIDENT

The PRESIDENT: Instead of wasting time on a procedural discussion which leads us nowhere, I agree we can take document T/234 and go through the petitions one by one, with reference to document T/264 if the members of the Council so desire.

That is to say, we will take the petitions in their order, but use this reference paper to help us in comparing the observations of the local administration and of the Visiting Mission.

If it is agreeable, we shall use document T/264, which has been prepared with extreme care and thoroughness by the Secretariat for the convenience of the Council.

/I must not let

I must not let this opportunity lapse without commending this excellent effort on the part of the Secretariat regarding this paper. Because there the petitions are summarized and classified with reference to the report of the Visiting Mission, and it is a convenient working paper. I am agreeable to the suggestion of the representative of the Soviet Union that we should take document T/234 in the order in which the petitions come; at the same time I would like to urge that the Council take paper T/264 as the reference working paper.

Mr. RYCKMANS (Belgium) (Interpretation from French): I wish to draw the Council's attention to the fact that document T/264, with respect to which I share the very favourable view already expressed by the President, but in respect of which I still complain that the Secretariat considered and classed as petitions certain anonymous communications which I referred to a while ago before the drawing up of this document and in respect of which I made it clear that I did not regard them as being petitions. I ask the Council to take up this question again and to be kind enough to remember the arguments which I developed at that time; we have to rule once and for all whether anonymous documents, requests of a personal grievance where there is no signatory and no petitioner - whether they are petitions. We have to remember that all countries which have petitions and legislation with respect to petitions, have decided to neglect them and not to take them into consideration at all.

I wonder therefore whether we ought to consider these documents as being merely information documents to be distributed to members of the Council but that they should not be considered as petitions under the terms of our rules^{of}/procedure or under the terms in which the Charter refers to such matters.

The PRESIDENT: I hope that no further procedural points are injected into this thing. I think the Council should go ahead with the petitions now.

Are there any observations on the petitions as listed in document T/234. Take the first one. That is Ruanda-Urundi. This is in accordance with the procedure proposed by the representative of the Soviet Union.

I do not even know whether that contains anything that requires discussion. That does not raise any questions that require

/ discussion now

discussion now.

Mr. CARPIO (Philippines): In considering these petitions as they are listed in document T/264, perhaps in order to dispose of each petition once and for all it might be worth while for us to go back to the original petition, so that thereby we can have a birdseye view of the whole issue presented therein. We can then discuss the whole petition and finish it in one sitting instead of dealing, for instance, with one phase now and then two days later, when we come to other phases and chapters in the functional field, having to discuss the same petition under another aspect. I think we would be losing a lot of time by so doing.

The PRESIDENT: Document T/264 not only gives a birdseye view, it gives a microscopic view. But now we have abandoned that and have come back to document T/234. Any member can make observations on the entire petition.

I turn now to document T/234, page 3 - Petitions received through the Visiting Mission.

PETITION OF NANJI JAMAL KALLA

Sir Alan BURNS (United Kingdom): Have we not dealt with all the petitions on that page?

The PRESIDENT: Some members do not think so. As I said, there are documents which contain both individual complaints and public issues, and the public issues have not been dealt with, in this particular case. Are there any observations on this case? If not, I will take it that the Council feels that there is no issue in this petition which requires public discussion.

For instance, in this petition he asks, on behalf of all Asiatics, for action to amend the deportation laws. That is a public issue. Observations by the local administration and by the Visiting Mission are contained in document T/217/Add.1, pages 8-9. I believe if members will refer to document T/264 they will find that comparative summaries are contained on page 17.

Are there any proposals as to the way in which the Council wishes to handle this petition.

/ Mr. NORIEGA (Mexico)

Mr. NORIEGA (Mexico) (Interpretation from Spanish): It seems to me that the comments made by the Administering Authority explain that the deportations of Europeans are not more numerous than the deportations of any Asiatics but that the latter are also at times deported. The Europeans, however, leave more discreetly.

There was a reference made here to Chapter III and it might be more practical to ask Mr. Laurentie to give us some explanatory statements on this point since unfortunately I do not have the report of the Visiting Mission before me at this stage.

At the invitation of the President, Mr. Laurentie, Chairman of the Visiting Mission to Ruanda-Urundi under Belgian Administration took his seat at the Council table.

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): I am quite sure that memory does not fail me if I say that as regards the expulsion of Asians there is no sort of discriminatory measure enacted into law which applies to Asians or any other type of alien. All foreigners in the territory, that is to say, all aliens including the Belgians are subject under the same conditions to the laws governing expulsion and deportation.

Sir Alan BURNS (United Kingdom): I am concerned at the waste of time that has occurred already this afternoon and may well occur the rest of the afternoon. Is there any way of hurrying this up. If no member has any comment to make on this particular item can we not take it that we can get on with the next one? It seems to me that we are wasting a frightful amount of time on this. Could I move that we consider that no further action is necessary on the petition of Manji Jamal Kalla?

The PRESIDENT: I have to give sufficient time to the members to find their places in the various documents. If no observation is forthcoming I shall put that motion to the Council.

Mr. GARREAU (France) (Interpretation from French): I apologize for being somewhat repetitious but I must come back to a suggestion which I made frequently in the past, namely that petitions should be considered by a special committee, for instance a sub-committee of four which could study all petitions and which could submit a report on each of these petitions to the Council. I am convinced

/that we would

that we would save a great deal of time and would not be wasting our time as we are now in discussions which are frequently rather ludicrous and absurd. I believe this would be much more practical. Most of these petitions could well be dealt with and studied by a sub-committee which would indicate which way the Council might answer. This would not necessarily preclude a general discussion but it would avoid meetings such as the one which has been carried out this afternoon.

The PRESIDENT: The Council did have an ad hoc committee in connexion with petitions but under rule 90 that committee is specifically precluded from considering any matter of substance contained in the petitions. Rule 90 says: "No appraisal of the substance of the petitions shall be made by the ad hoc committee."

I think that the representative of France will recall that the Council decided -- also during the present session -- that we would not refer to a committee.

It has been moved by the representative of the United Kingdom that no action be taken on this petition, that is T/PET.3/1/Add.2 by Nanji Jamal Kalla. We will now proceed to the next one.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Why did I ask what petition we were talking about? Because we already had discussions about some petitions in the Trusteeship Council. We had discussed the petitions of some of these gentlemen such as Ahmed Ishak, Mulla Atta Muhammad, Nanji Jamal Kalla and even Moladad Pirandita and also Mwambutsa, the Mwami of Urundi. There are only a few petitions that we have not discussed.

If any members of the Council have any general comments to make with respect to the petitions that have already been discussed let them go ahead and make them but since we do not hear anything of the sort let us, therefore, confine our attention to those of the petitions that have not yet been taken up. Why is ^{it} that we are reverting to the study of these particular documents?

Sir Alan BURNS (United Kingdom): I agree wholeheartedly with that.

/The PRESIDENT

The PRESIDENT: That was not the decision of the Council. The decision of the Council was that all the general problems raised in the petitions would be discussed in conjunction with the Visiting Mission's report. Those petitions which the representative of the Soviet Union wants to brush aside may have been considered from the point of view of individual complaints but the public aspects of those petitions have not been discussed. Do I understand that the representative of the Soviet Union wants to eliminate that part of the petitions? It has been agreed to by the representative of the United Kingdom.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I merely wished to say that everything that the Soviet delegation has to say with respect to these petitions has already been said. We expected that some other representatives might decide rapidly on what petitions they want to adjust themselves to and therefore we could then take up those petitions.

I do not want at all to violate or reverse the Council's decision in respect to this matter. I merely say that since we have considered certain petitions and since there are no comments with respect to them let us only proceed to those petitions that have not been considered.

If some of the members of the Council have some quarrel with that, if they have any observations or comments to submit, let us listen to them but if there are no such comments let us just go on.

The PRESIDENT: Let me make this observation. The representative of the Soviet Union may have had his say on these petitions but the Council has not arrived at a decision. In order to dispose of a petition the Council ^{must} ~~decide~~ ^{either} /to take action or not to take action.

Secondly, if a part of a petition has been deferred although another part has been discussed, such petition has not been considered in toto.

Also, I would like to ask whether the Council feels that "no action is called for" is a good formula in some of these cases because no action is called for only in relation to the petitioner, but some action ^{may} /have been taken by the Administering Authority to ameliorate the situation or the Council may have advised that certain things be done to improve a certain situation. With the standard formula "no action is called for" it may be implied that no action must be taken to ameliorate any situation even if in /certain cases

certain cases action has actually been taken.

Sir Alan BURNS (United Kingdom): I will take any form of words if we can get on with this. I shall move merely that we now pass on from the first item here, Nanji Jamal Kalla. We have already dealt with the personal implications in this, no one seems to want to talk on the general implications so let us pass on.

The PRESIDENT: Then it is the Council's decision that in regard to the general part the Council takes no decision; is that correct?

/Then we come to

PETITION OF MULLA ATTA MUHAMMAD (T/PET.3/2)

Mr. SOLDATOV (Union of Soviet Socialist Republics):

What was the decision of the Council in regard to the second one?

The PRESIDENT: The decision of the Council was a proposal by the representative of China similar to the recommendation of the Visiting Mission, to the effect that this case be referred back to the Administering Authority with the recommendation that the petitioner's case be re-examined in a spirit of leniency. That was the decision in regard to his personal complaint.

The petitioner Mulla Atta Muhammad refers to several things of general interest; he complains that Europeans, Asians and Africans inhabit separate quarters for reasons arising from habits of life, social conditions, hygiene and colour questions but may with the permission of the territorial authorities be authorized to reside individually in European quarters.

Then he asks for allocation of auction marts, and then he makes observations on the restrictions in regard to liquor.

/ Many of

Many of these questions have been discussed during the examination of the Visiting Mission's report. If the Council wants to reject the proposed procedure from the Chair, it can get into even more of a tangle, because this is exactly what has happened -- we do not know where we are now.

I think the subject-matter of general interest referred to in this petition is also contained on page 17 of document T/264 on land tenure. It is stated that Asian immigrants have difficulties in buying plantations. The observations by the local administration are to the effect that no discrimination exists in this matter between Europeans and Asians. If the majority of planters are Europeans, it is because Asiatics prefer commercial pursuits, which correspond more to their tastes and abilities.

The restrictions resulting from the great density of the African population apply as much to the Asians as to the Europeans.

The observations of the Visiting Mission only refer to Chapter III, Section 8 of the report.

Sir Alan BURNS (United Kingdom): I move that if no one wishes to discuss it, we pass on from this also.

Mr. LIN (China): This man's personal case has been disposed of by the Trusteeship Council. In addition to his personal complaint, he has made three complaints: one about land tenure, another about commercial opportunities, a third about liquor restrictions.

The Council will remember that the Visiting Mission has made certain observations and conclusions with respect to the discriminations. Unfortunately, the Trusteeship Council, after examining the report, or having a preliminary examination of the report, has not been able to come to a definite conclusion with respect to all the observations and conclusions of the Visiting Mission. The Council, therefore, has not endorsed the observations of the Visiting Mission.

/I remember

I remember that the representative of the Philippines suggested that the Council tentatively endorse the observations and conclusions of the Mission.

Now we find ourselves in a very difficult position. We have not adopted the observations and conclusions of the Visiting Mission with respect to these complaints, and we cannot very well tell the petitioner in this case that no action is called for. At least we must say that these matters are being studied further by the Council in its next session when the Council has received the observations from the Administering Authority on the Visiting Mission's report.

Mr. RYCKMANS (Belgium) (Interpretation from French): I have already pointed out that as far as I am concerned I must consider these petitions to have been disposed of, since it is not observations regarding the report of the Visiting Mission but petitions which we are supposed to deal with.

The comments of the Belgian Government with respect to the various petitions have been made. I do not think that we should postpone the matter until any additional documentation is submitted, because I do not think that any additional documentation will be supplied. As far as I am concerned, the matter can be discussed right away.

Mr. CARPIO (Philippines): I concur in every respect with what my colleague from Belgium has said on these petitions. I think we have every reason to welcome these petitions once and for all without subjecting their final decision to any subsequent action that might be taken in connexion with the Visiting Mission's report.

The particular petition, for instance, we are now considering, complains of racial discrimination in three or four fields of activity in that Trust Territory.

These are the very same things that we have discussed last year in the consideration of the annual report on the Territory; we have considered them once more this year during this session in the consideration of the Visiting

/Mission's

Mission's report; and time and again petitions of this kind have been brought to our attention bristling with what they call vestiges of racial discrimination.

With all this evidence before us, with all these facts brought to our attention from time to time, is there any reason why up to now we cannot take any definite action?

I proposed two or three days ago that we should approve the Visiting Mission's report on this question of racial discrimination. What did we do? We decided to postpone it until the next session.

Here we are, faced with the situation, and we are now asked to consider that this petition is finished once and for all and for us not to take any action.

To me we are making a mockery -- that is, if we follow that suggestion -- of our work in connexion with petitions, and I feel that the work of this Council with regard to petitions is one of the most active tasks and functions with which we are invested by the Charter.

For that reason, and because of the facts that we now have before us, I believe that we should take a stand once and for all and recommend to the Administering Authority to re-study this matter of racial discrimination seriously to the end that all of these might be remedied at the earliest possible time.

That is what I suggest we should do in connexion with this particular petition.

/The PRESIDENT: Do I

The PRESIDENT: Do I understand the representative of the Philippines to move formally that the observations of the Visiting Mission on this petition, with special reference to this aspect of the petition, be endorsed by the Council?

Mr. CARPIO (Philippines): Yes, and that we advise the petitioner accordingly -- that we have endorsed the Visiting Mission's report which in effect requests the stoppage of these discriminatory practices.

The PRESIDENT: The observations of the Visiting Mission are contained on pages 58 and 59.

Sir Alan BURNS (United Kingdom): On a point of order.

I do not wish to start another discussion on procedural questions, but having decided, rightly or wrongly, that the question of the Visiting Mission should be deferred until the next session, are we in order now to pass a resolution that we endorse a certain part of that Visiting Mission's report?

The PRESIDENT: I think the examination of petitions is a separate function of the Council and it is for the Council to decide what to do with the petitions. If in the light of the petitions they can form an opinion, they are not bound by the Visiting Mission's report.

On page 75 of document T/217, the Visiting Mission's report, on the first half of the page under conclusion 7, it says:

"The Mission is of the opinion that it would be appropriate to review legislation involving discrimination with regard to Asians, particularly the laws on residence, land tenure, alcoholic beverages, firearms and the penitentiary system."

Sir Alan BURNS (United Kingdom): On a point of order, I am not opposing putting such wording into a resolution. I am simply on a point of order maintaining that a decision having been arrived at with regard to the Visiting Mission's report, there should not be any reference in the representative of the Philippines' motion referring to that and endorsing the report of the Visiting Mission because it has ^{been} already/decided that we should not do it. If he wishes to adopt the

/same wording

same wording, that is a different matter.

The PRESIDENT: I think we did not decide that we do not endorse the observations of the Visiting Mission. I think all we decided was to postpone any conclusion in regard to that report until the next session, pending the receipt of observations of the Administering Authority.

As I said the examination of petitions is a separate function. Whether the Council wishes to use the same words of the Visiting Mission in the decision in reference to this petition or just to concur with the Visiting Mission and repeat the same words, that is entirely a matter of drafting. The important thing is whether the Council feels the same way as the Visiting Mission or feels that legislation should be reviewed with the intention of removing any discrimination.

Mr. SAYRE (United States of America): I feel some difficulty. I confess that I am in very great sympathy with the majority of recommendations of the Visiting Mission and when the proper time comes, I expect to vote for them. But I question a little whether we will reach good results if, having decided to postpone definitive action on the Visiting Mission's report, we postpone further action until our June session; then I question whether we would obtain wise results by taking piecemeal suggestions here and there, some of the suggestions which are pertinent to these petitions. That will leave undealt with numberless recommendations which are not touched in the petition. It seems to me that the final result will be more unsatisfactory, if not absurd.

It was with this thought in mind that I supported the President's suggestion at the beginning of our session this afternoon, because, as I see it, each one of these petitions dealing with public matters concerns some issue dealt with in the Visiting Mission's report.

It is very difficult to determine exactly what action to take on such a petition until the Council has made up its mind what to do with the recommendations of the Visiting Mission.

As I say, I am in hearty sympathy with most of those recommendations and intend to support them when the proper time comes. I question whether this piecemeal procedure will result in beneficial action from the viewpoint of the welfare of the inhabitants. Too many of these recommendations which I think we should support will be left undealt with.

/I therefore

I therefore wonder whether we are saving time in this kind of procedure. In fact, I did not ^{even} see document T/234 down on our agenda. For that reason, I do not feel able to vote in favour of a recommendation here and there, even though I approve the substance of the recommendation. I wonder whether we cannot get on to the track again and find some method of considering these points which will yield better results.

I hesitate to suggest anything because that means another procedural discussion. I therefore do not suggest it, but I do raise the question and I feel very much troubled by this procedure.

The PRESIDENT: Once we have got on the local train, I propose that we proceed to our destination on that train.

I would like to say that the points raised by the representative of the United States are rather technical in the sense that if we have not endorsed the Visiting Mission's report, we cannot do it piecemeal.

To this point, I would like to say, as I said before, the examination of petitions is a separate function. Whether we endorse the report or not, we are here to examine the petitions and we have to come to a conclusion in regard to them. If we do not want to say that we endorse the Visiting Mission's observations, we can still come to a conclusion which either differs from the Visiting Mission or coincides with the Visiting Mission.

I am saying this not to contradict the objections raised. I only say that they are technical and if the Council would like to go about it in another way, I think that is up to it to decide.

As far as document T/234 is concerned, it is really not under discussion. It is the petitions that are under discussion. T/234 was only a summary of the petitions.

Mr. RYCKMANS (Belgium) (Interpretation from French): I do not know whether the members of the Council will remember it, but I said the other day that as far as these questions are concerned, particularly arms and alcohol, I have been informed that a modification of present regulations was being contemplated by the Government.

I am reminding you of these things, not to prevent the Council from adopting a decision, but because I have been informed by the Governor that, after the visit of the Visiting Mission, the matter was taken up again and is being subjected to further consideration.

The PRESIDENT: Do I understand that the representative of the United States is submitting a motion? Would I be right in saying that that is not the main point in his observation?

His observation is that we should dispose of all those motions in one resolution.

Mr. SAYRE (United States of America): My suggestion would be that we adjourn for a brief recess and see if we cannot find some way out of this tangle.

The PRESIDENT: The Council is adjourned until 5 p.m.

The meeting was suspended at 4.33 p.m. and was resumed at 5.17 p.m.

The PRESIDENT: After the recess, I think our minds are still on the important subject of petitions. I do not know whether there are any new proposals as to procedure in this subject.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I can only propose what I have already intimated; that we should take up each petition in its proper order and besides, with respect to each: firstly, whether such petitions contain anything that has not yet been covered by any decision of the Trusteeship Council; secondly, that each member of the Council may express any comments or observations he may wish with respect to any petition or with respect to any aspects thereof which he may consider novel; and thirdly, there is the issue of any formal decisions with respect to such petitions in the form of draft resolutions or otherwise.

For instance, we have a Philippine resolution with respect to the petition contained in document T/Pet.3/2 on page 3 of document T/234. Whenever the Trusteeship Council fails to adopt any specific decisions about any particular petition in view of the fact that the petition raises a question that the Council has already considered or is considering or has not yet completed consideration of, then, in our decision, we may also include a reply to the petitioner or we may also provide for a reply to the petitioner, telling him that the Council has discussed the matter and has adopted an appropriate decision or else that the Trusteeship Council is considering the question but has not yet completed the consideration and that any decisions have or have not been adopted.

In other words, we should simply make it clear to the petitioner that the questions which he raises with respect to his Trust Territory have either been already discussed in the Council or that the Trusteeship Council has taken the matter under advisement and has adopted a decision or, if the contrary is true we should tell him so. This however should depend on the character of each individual petition. We should approach each individual petition on the basis of the facts and on the basis of the information which such petition includes.

If this is the procedure which we adopt in connexion with the consideration of petitions and if this is acceptable to the members of the Council, then I think we are likely to wind up this whole matter of petitions in very short order.

Mr. SAYRE (United States of America): I should like to support the proposals of the representative of the USSR. It seems to me that if all of us try, in good spirit, to work out the situation on the lines suggested by the representative of the USSR, we can cover ground rapidly. I support his suggestion.

/The PRESIDENT

The PRESIDENT: I think the suggestion just made by the representative of the USSR and supported by the representative of the United States does not differ very much from the procedure we have been following; that is to take the petitions in their proper order and to present a resolution after observations have been made. As to the reply to the petitioner, that is already provided for by our rules of procedure.

The Council is still considering the petition of Mulla Atta Muhammad and the representative of the Philippines has proposed that the Council endorse the opinion of the Visiting Mission.

For the purpose of the examination of petitions, I would suggest that we omit reference to the observations of the Visiting Mission.

The proposal is to the effect that the Council considers it appropriate for the Administering Authority to review legislation involving discrimination with regard to Asians, particularly the laws on residence, land tenure, alcoholic beverages, firearms and the penitentiary system.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Can we get the exact wording of our decision? How are we going to put it down on paper?

Sir Alan BURMS (United Kingdom): May I suggest to the representative of the Philippines that we should reply in this form: that the Council has considered this question of racial discrimination and has invited the attention of the Administering Authority to the matter. I would suggest something on those lines.

I am not sure that we could tell the petitioner that the Trusteeship Council has informed the Administering Authority of these things. I think it would be better to tell him that we are communicating with the Administering Authority on the general question rather than to give details.

Mr. CARPIO (Philippines): I do not remember exactly how my resolution was worded as I presented it orally. I was primarily interested in having this petition, on which we have more or less sufficient basis to act in a definite way, completed once and for all so that it would not be left in abeyance pending consideration of several other things that are not strictly connected with the petition.

In view of the remarks just made, I should be willing to have the proposal so worded that we put into the mouth of the Council, things that we have already had before us. On that basis we could settle the petition once and for all without expressing any approval of any part of the Visiting Mission's report. I am perfectly willing that it should be done along that line so as to obviate possible inconsistency as was called to our attention by the representative of the United States.

/We have here

We have here, for instance, the recommendations of the Visiting Mission on page 61.

The PRESIDENT: I have said that, for the examination of the petitions, we would not refer to any endorsement of the report or any part of the report of the Visiting Mission. I quoted that passage as your motion.

The representative of the United Kingdom has suggested that you adopt some other language. You have not replied to that. His proposal is that, instead of using such definite and positive language, the petitioner be told that the Council has considered the question and has invited the attention of the Administering Authority to it.

Sir Alan BURNS (United Kingdom): We are all quite agreed, in principle. Would it not be possible for this to be left to the drafting committee. It is very difficult for us, here, to work out a wording/^{on}which everyone can agree.

The PRESIDENT: The usual procedure is for the Council to express some definite idea so that the drafting committee can formulate it but the ideas, as I see them, are still apart.

Mr. RYCKMANS (Belgium) (Interpretation from French): May I venture to suggest -- I am not proposing, I am simply suggesting -- a formula: that we should reply to the petitioner that as regards the question of discrimination against Asians, which he raises, the Council has been seized of the matter for a considerable time and that, as a result of the Visiting Mission that was sent to Ruanda-Urundi, the question is being discussed by the Council with the Administering Authority.

/The PRESIDENT

The PRESIDENT: That was a similar wording to the one proposed by the representative of the United Kingdom.

Mr. CARPIO (Philippines): I must apologise: I did not use my earphones when the representative of Belgium was speaking.

The PRESIDENT: The representative of Belgium suggested that we say the Council has been seized of the matter for some considerable time and is discussing the matter with the Administering Authority.

Mr. CARPIO (Philippines): Is that going to be the end of the petition as far as the petitioner is concerned because, by an answer of that kind, I anticipate that he would then write another letter asking the Council to advise him of the results of these discussions. There is no question, but that eventually he will know what the results will be?

The PRESIDENT: I believe that if any action is taken the Secretary-General can reply to this petitioner, should he send a second request for information.

Sir Alan BURNS (United Kingdom): I do not think he would be any worse off than with the reply suggested incorporating the quotation from the Visiting Mission's Report. The first thing that has to be done, if it is going to be done by anybody, is by the Administering Authority. Therefore, the information that the Council is in negotiation with the Administering Authority is all we can tell him at this stage. Then he can find out -- or if he does not find out for himself he can write and ask.

The PRESIDENT: Is it a fact then that we are discussing the matter with the Administering Authority, apart from the Council's discussion?

Sir Alan BURNS (United Kingdom): Will not a copy of this go to the Administering Authority?

/The PRESIDENT:

The PRESIDENT: Yes, it will. What I mean is, is that the proper description: "is discussing with the Administering Authority"? That seems to suggest another channel of approach.

Mr. RYCKMANS (Belgium): All I can say is that the Administering Authority has invited the local authorities to make their representations and suggestions in their next annual report. If the local authorities do not agree with the Visiting Mission's suggestion, they will tell the Belgian Government so. Then the Belgian Government ^{will consider} the question and will see whether it finds that the local authorities are right or that the Visiting Mission is right. It can then come to some conclusions, even if -- as may happen in some cases -- it believes that the local authority is right and that the Visiting Mission is wrong, but that the matter is not of sufficient importance to get into conflict with the Trusteeship Council. All that is being considered. The Government certainly did not throw the Visiting Mission's Report in the waste paper basket.

Mr. CARPIO (Philippines): What concerns me, however, is the action which we are taking in connexion with this matter. The subject matter of our discussion so far has been what we were going to tell the petitioner. We have not dealt with what we are going to do with this petition and what we shall do in connexion with our negotiations with the Administering Authority.

I said that we were taking some definite steps: recommending to the Administering Authority the remedial steps that we believed might be taken in connexion with discriminatory laws or regulations, and it seems to me that our decision here now should involve, not only what we are going to tell the petitioner, but what action we are definitely taking on this petition.

Sir Alan BURNS (United Kingdom): It seems to me that the suggestion made by the representative of Belgium -- which is very much the same as mine -- goes further than this.

The Report of the Mission says: "The Mission is of the opinion that it would be appropriate..." Let us suppose it was taken as the Philippine representative's resolution as I understood it: "The Council is of the opinion that it would be appropriate to review

/the legislation..."

the legislation..." That does not bring the Administering Authority - the one who would have to amend the legislation -- into the picture at all. I think it would be far better to tell the petitioner that the Council is discussing it with the Administering Authority, since the Administering Authority will have to change the legislation. That is the point I want to make.

Therefore, the suggestion that I made and that the representative of Belgium has made goes further than the suggestion of the representative of the Philippines.

The PRESIDENT: If we are discussing the matter with the Administering Authority, that would constitute a step -- an action.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): It seems to me that we might adopt the following decision in connexion with this petition. We might say that
THE TRUSTEESHIP COUNCIL

RECOMMENDS to the Administering Authority to revoke... (and I continue to read from the Report of the Visiting Mission) "legislation involving discrimination with regard to Asians, particularly the laws on residence, land tenure, alcoholic beverages, firearms and the penitentiary system."

Then everything would be clear. We would include a quotation ^{Report of the} from the/Visiting Mission and the matter would be wound up.

Mr. CARPIO (Philippines): I think that would be very satisfactory to say we are negotiating with the Administering Authority on a matter brought to our attention of which the Council has been seized for some time, so that we do not emphasize that we are doing this only as a result of the petition, suggesting the possible "review of legislation involving discrimination...", etc.

I think that would really be more definite and still would not give the petitioner the false notion that it was only his petition that moved us to take the step of asking the revoking of this legislation.

The PRESIDENT: As a note of historic record, we are informing the petitioner that we are negotiating with the Administering Authority, so we have not endorsed the Report of the Visiting Mission

/Have we negotiated

Have we negotiated, or are we going to negotiate with the Administering Authority? I raise that point apart from whatever formula is going to be adopted. The Council has taken no steps to discuss this question with the Administering Authority.

Mr. CARPIO (Philippines): We could not draft a statement to say that we are negotiating, because that is not so...

The PRESIDENT: Exactly, that is what I said.

Mr. CARPIO (Philippines): We are recommending a "review of the legislation involving discrimination..." I think that is the consensus of opinion here.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Perhaps we might tell the petitioner that the Trusteeship Council has been discussing for some time the issue of discrimination against Asians and, further, took up the same matter in connexion with the gentleman's petition. We could say that, furthermore,

THE TRUSTEESHIP COUNCIL

RECOMMENDS to the Administering Authority to revoke "legislation involving discrimination with regard to Asians, particularly the laws on resident, land tenure, alcoholic beverages, firearms and the penitentiary system".

I suggest something along these lines.

/Mr. NORIEGA

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I propose that we continue the discussion of the petitions that follow, and that the President should afterwards appoint a drafting committee to take into account the remarks, and then submit to the Council an appropriately worded text.

The PRESIDENT: That would necessitate having another discussion. That is why I am anxious to have the Council give some clear indication to the drafting committee, because I can still see that there is some distance between the views expressed.

Sir Alan BURNS (United Kingdom): I do not think there are any differences apart. Let a committee do it, because it is impossible for the twelve of us sitting around this table to draft something which will be acceptable to everyone.

I entirely agree with my Mexican colleague. Let us appoint a small committee ^{to draft a reply} and get on with some of the other petitions.

The PRESIDENT: Without reference to this Council? Whatever the committee will draft will be agreed to by the United Kingdom representative?

Sir Alan BURNS (United Kingdom): The reply will presumably come back to the Council as a report.

The PRESIDENT: Usually, the Council makes a decision and the reply goes directly to the petitioner.

If the committee should draft a reply in the language suggested by the representative of the USSR or by the representative of the Philippines or the language of the Visiting Mission, that would be agreeable to the United Kingdom representative?

Sir Alan BURNS (United Kingdom): I would like to see what the draft is. Why could not the committee draft a reply and bring it back to the Council? It is impossible to agree on a draft around this table. Let us have a draft prepared and then we can consider it.

Mr. CARPIO (Philippines): Could we agree to the basic principle that the Council is more or less agreed that we should recommend to the Administering Authority to review ^{existing} the/legislation involving discrimination, along the lines mentioned in the report of the Visiting Mission on page 75.

/I think

I think we are all agreed on that basic idea. We disagree on how to inform or what words to use in informing the petitioner of the action taken by the Council. I am perfectly willing to meet suggestions expressed on this matter, but, at the same time, we should be agreed on this basic idea, that is, we should agree on the recommendation for a review of existing discriminatory legislation.

Mr. CARREAU (France) (Interpretation from French): Of course we agree on the principle of abolishing or revoking anything which would entail discrimination. But the recommendation has not yet been adopted with respect to Ruanda-Urundi because we have not adjourned the discussion about the final conclusions to be drawn from the report of the Visiting Mission and the resolutions to be adopted on that basis.

Therefore, we cannot reply to the petitioner that the Council agrees on recommending something which has not yet been the subject of any recommendation whatsoever. Under such circumstances, there are still quite a few steps to be taken between the proposal of the representative of the United Kingdom, the proposal of the representative of the Philippines, and the proposal of the representative of the USSR.

I do not think that a drafting sub-committee could get off the horns of that dilemma because it would be confronted by two solutions to the problem which are fundamentally different. I think that the President agrees with this view.

We cannot answer to the petitioner that, upon the consideration of his petition, we adopted a recommendation of such tremendous scope as recommending to the Administering Authority to revoke a number of laws and regulations which would be stained with the blood of racial discrimination. This is a decision which we may adopt in due time, at the next session perhaps, upon the decision of this Council. But we cannot base ourselves now on a recommendation which has not yet been adopted.

In my opinion, the only possibility which we do have at our disposal, with respect to this petition and with respect to any other petition which entails questions of general importance, would be to reply in general terms -- and that applies to all these petitions --

/that the

that the questions raised in these petitions are questions of general scope, that they have been under advisement in the Trusteeship Council, and that the questions continue to be the subject of ^{serious} discussion and consideration by the Council.

Thus we would be giving an answer which would satisfy the petitioner to some extent without compromising ourselves. I hardly think we can say that the Council is in negotiation with the Administering Authority. The Trusteeship Council does not negotiate anything with the Administering Authority. The Council can make recommendations or observations to the Administering Authority but it does not negotiate anything with any Administering Authority.

Therefore I would not agree to this particular form under consideration. I think the simplest thing to do would be to say that the petition has been examined with great interest by the Trusteeship Council, that the question raised in that petition has already been examined by the Council, that the Council is giving considerable attention to the matter, and that the matter is still being considered by the Council.

I think the petitioner should be fully satisfied with this answer. Furthermore, I think that this kind of reply would avoid the grave risk of making the petitioner believe that, as a result of that petition, the Council has adopted a very important and far-reaching decision of a general character. That would not be true.

As a matter of fact, questions of discrimination are constantly being considered by the Council. Every time we get a petition or a report it talks about discrimination. It is, therefore, not as a result of that petition that we would adopt a recommendation of as wide a scope as the representative of the Philippines suggested.

I am not opposed to the idea at all. I would vote for the Philippines idea when we take it up under recommendation, but this is not the time to take it up. It is not as a result of this petition that the Trusteeship Council should adopt a decision of such tremendous and far-reaching scope.

Sir Alan BURNS (United Kingdom): The only difficulty that I saw in accepting the Philippine resolution is that we have not yet come to any decision on the resolution of the Visiting Mission. That is why I thought, although we are all in sympathy with one another in this general matter, we have to get together and find some form of words which will satisfy us.

/Mr. NORIEGA

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I find that again the ghosts of the report of the Visiting Mission are haunting us.

If we look at the point with clarity and firmness, the Visiting Mission was carrying out a kind of post office function in bringing this information to us. Then, incidentally in the form of an appendix, it commented upon these petitions which it brought to us.

I do not see why we have to keep on thinking about what the Visiting Mission did. It is not really relevant. I concretely propose that we continue to discuss all these petitions, and that we appoint a drafting committee which will take into account the points of view expressed here when it is drafting a wording for the reply to the petitioner.

At the same time, the committee would draft the associated text which would be sent to the Administering Authority. To send any kind of a reply with the United Nations seal is not satisfactory if you just say that the Trusteeship Council has been concerned with these matters for two years.

The procedure is that the Council has to approve the wording of the reply. We have to decide whether we are going to recommend to the Administering Authority ^{that} it abolish all discriminatory legislation, or whether, by form of a resolution, it is not better merely to suggest to the Administering Authority ^{that} it consider the possibility of eliminating such discriminatory legislation if it exists.

So long as we do not have a written text, either on the resolution of the Council upon the petition or in connexion with the operative part of the resolution to the Administering Authority, we will be discussing the point all afternoon without reaching agreement. We need a text which we can discuss and, if necessary, amend.

/The PRESIDENT

The PRESIDENT: I am agreeable to any workable procedure. I am certainly not objecting to leaving it to the Drafting Committee, but I entirely agree with the representative of France that there are quite a few steps between telling the petitioner that we have invited the attention of the Administering Authority to a certain matter, and a recommendation that it review its legislation.

So, if you have a Drafting Committee that can think out any language which approaches either of these views, and bring such a draft back to the Council, it would mean that the Council would have to start another discussion of this petition.

If the Council feels that it is willing to do that I shall have no objection. I would defer to the Committee.

Mr. RYCKMANS (Belgium) (Interpretation from France): The question is raised as to whether it is correct that the Trusteeship Council is in communication with the Administering Authority with respect to this matter.

I quite agree with the representative of France that my expression that the Council is "negotiating with the government of the Administering Authority" was ^arather unfelicitous expression. It is, however, correct that the Council is in communication with the Administering Authority with respect to this matter. The truth is that in its report to the Assembly last year, the Council did make observations to the Administering Authority in this connexion.

I told you that, in connexion with the 1948 annual report, the Administering Authority will reply to the observations which were included in the report of the Trusteeship Council. It will also reply to the observations that were made in the report of the Visiting Mission.

If the Council is not satisfied with the explanation referring to the comments of the Administering Authority, then the Council may insist on this point, may submit new recommendations or may do anything else that it may deem fit.

But I do not think that in connexion with the petitions, the Council can just deal with a matter that it has been dealing with for long time, regardless of any petition. Because after all, we are waiting for the observations of the Administering Authority, we have already made observations to the Assembly, and we cannot overturn the / whole procedure

whole procedure just because a petition has been submitted. Because that procedure was undertaken as a result of the duties of the Council and regardless of any petition.

It would be quite adequate to tell the petitioner that the attention of the Council has already been drawn to this question, that the matter was duly mentioned in the Council's report to the General Assembly for 1948, and that the question continues to be under study by the Administering Authority under the Trusteeship Council.

The PRESIDENT: It seems to me that several representatives are in favour of the idea of having this drafting referred to a committee. They have not just said that the Drafting Committee refer the petitions. So we do have to have an ad hoc Committee on Petitions.

If the Council is agreeable, this ^{shall be a} special task which is more than drafting, it is really finding a formula.

The rules of procedure state that the ad hoc Committee shall not deal with any matters of substance, except in the initial stage. I believe that there is nothing to ~~sear~~ bar the Council from authorizing the Committee to find a formula.

If the Council is agreeable then this drafting can be referred to that ad hoc Committee in the hope that at the next meeting the Council will still proceed with the question of petitions.

Will that be agreeable?

Sir Alan BURNS (United Kingdom): I shall be quite prepared, if the representative of the Philippines will be, to try and draft something that we are both agreed on without having any further appointment.

Would you defer this discussion now, until say, Tuesday? I don't think we are really very far apart.

The PRESIDENT: I think we will leave this entirely in the hands of the representative for the United Kingdom and the representative of the Philippines, in the hope that by Monday or Tuesday some commonly acceptable wording will be presented to the Council.

The Drafting Committee on Annual Reports will meet on Monday morning at 11 o'clock in Room 5.

The Council is adjourned until 2.30 p.m. on Monday.

The meeting rose at 5.55 p.m.