

TRUSTEESHIP COUNCIL

Fourth Session

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

Lake Success, New York
Monday, 14 March 1949, at 2.30 p.m.

President: Mr. LIU CHIEH China

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

EXAMINATION OF PETITIONS LISTED IN THE ANNEX TO THE AGENDA (T/234, T/234/Add.1) (continued)

PETITION FROM AHMED ISHAK (T/PET.3/3)

The PRESIDENT: The Council was examining petitions which were received through the Visiting Mission to Ruanda-Urundi.

In regard to the Mulla Atta Muhammad petition I understand that the representatives of the United Kingdom and the Philippines have agreed on a text which will be circulated very shortly.

In the meantime the Council will proceed to the next petition (document T/PET.3/3) by Ahmed Ishak. This petition is summarized on page 3 of document T/234. The petitioner, who says he has been a resident of Ruanda-Urundi for twenty years, complains about conditions for Asiatics generally in the territory and, in his own case, protests against his imprisonment "on suspicion without any information" in connection with a charge of "gold trouble".

I believe the part concerning his individual complaint has already been dealt with and it is his general statement in regard to conditions in the territory which require the Council's attention.

In document T/264 on page 20 members of the Council will note the general questions raised in the petition. First the complaint is summarized as follows:

"It is stated that Indians never have the right to defend themselves in Court, and it is alleged that a Belgian lawyer was threatened by the Government with loss of his license if he defended an Indian."

"The Local Administration states that defence of accused persons is entirely free, and that Asians very frequently call upon the services of lawyers."

The observation by the Visiting Mission was:

"The Visiting Mission states that in spite of the most careful investigation of the allegations, and in view of its inability to interrogate the petitioner again, it has been unable to throw any light on the matter."

/The next complaint

The next complaint in this petition was:

"It is stated that the children of Indians are debarred from any education and from entry to any of the local colleges.

"The Local Administration states that, realizing their ignorance of the French language, the difference in their education as compared with that of Europeans, and their frequently defective hygiene, the Asians have not asked to be admitted to European schools. The Asian community has, however, freely organized primary courses at Usumbura, and teachers from India have been granted every facility of entry."

The Visiting Mission does not appear to have made any observations. Another complaint by the petitioner was:

".....that immigrants' deposit paid to the Government has not been returned even after residence of more than 15 years."

These are the complaints of a general and public nature which are contained in this petition of Ahmed Ishak.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Could we get a clarification from the representative of Belgium in the Trusteeship Council as to the meaning of some of the words in document T/264, page 20, under "Observations by Local Administration" where it says:

"The Local Administration states that, realizing their ignorance of the French language, the difference in their education as compared with that of Europeans, and their frequently defective hygiene, the Asians have not asked to be admitted to European schools."

What is the meaning of this remarkable phrase, "their frequently defective hygiene"?

Mr. RYCKMANS (Belgium) (Interpretation from French): I do not know any more about it than does the representative of the Soviet Union. The only explanations in my possession are those which were furnished by the Local Administration/^{and} which are annexed to the report of the Visiting Mission.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics)
(Interpretation from Russian): This is a rather important item and it has a direct bearing on the question of educational opportunities in Trust Territories.

I think we ought to elicit the facts of the case in one way or another; we ought to elicit the meaning of this remarkable phrase here. It seems that Asians have no opportunity of attending European schools.

What is this "congenital hygienic defect" which seems to attach to Asians? I do not understand what is referred to in this phrase. I have had several opportunities of visiting Asian countries and I must say that there are no hygienic standards in Asian countries which are such as to preclude Asians from attending the same schools as Europeans.

On the contrary, I believe that in a number of countries of Asia, there are very strict hygienic laws and regulations; so much so that I am astounded at this argument being held up as an excuse for debarring the children of Asians from attending the same school as the children of Europeans.

Mr. RYCKMANS (Belgium) (Interpretation from French): It may well be a fact that the Asians have strict hygienic rules; it may be that they think that their children will become dirty if they attend the same schools as Europeans. May be they will consider them blemished under their hygienic rules if they attend the same schools as Europeans.

The Council, if it wishes, can request any additional information from the local administration.

I wish to add just one more thing. I said that I did not know about it any more than the other members of the Council. However, if the correct interpretation was given, it would seem that the representative of the Soviet Union alleged that Asians were debarred from frequenting European schools, but I read in the observations of the local administration that the Asians have not asked to be admitted; they have not been debarred, they simply have
/not asked

not asked to be admitted.

The PRESIDENT: I think before I call on the representative of the Soviet Union, it seems to me that the language here is quite clear. I do not think it is necessary for the Council to ask for further information. ^{do not} I think the local administration's observations imply that there is any conception of superiority in hygiene on the part of the Asians. I think the meaning is quite clear there.

Mr. SOLDATOV (Union of Soviet Socialist Republics)
(Interpretation from Russian): I should like to say that I am looking at the observations by the local administration, which prove that the local administration considers that the Asians have frequently defective hygiene. This I think is perfectly clear.

Therefore I think that the explanation of the representative of Belgium to the effect that the Asians consider that their hygienic rules are the higher ones and that therefore they do not want to go to European schools because they might get dirty -- I think that explanation is patently contrary to what is stated here.

The observations of the local administration speak about "their frequently defective hygiene." In other words, the point is not as to the opinions of the Asians as to their superior hygienic standards at all; it is a point of the opinion of the local administration as to their inferior hygienic standards.

We have, in that connexion, a petition which we are now considering, and therefore I think we ought to take this under advisement. We ought to get some clarification of this remarkable point.

The assertion that the Asians have not asked to have their children admitted to European schools does not seem to be quite correct, because we have data at our disposal making it clear that they have asked to be admitted and could not get in. This, I think, is the true situation regarding this petition. Therefore I think it is quite

/appropriate

appropriate to get a lot of additional information, particularly with regard to this phrase "their frequently defective hygiene".

The PRESIDENT: Are there any further observations or proposals in regard to the way the Council should decide to deal with this petition?

Do I understand, then, that the Council wishes to reply to the petitioner that the matters raised in his petition have been considered by the Council in connexion with the Visiting Mission's report -- matters relating to education and the treatment of Asians -- and that the matter will receive further attention at the next session when the Council will formulate its conclusions in regard to the Visiting Mission's report, after receiving the observations of the Administering Authority on the Visiting Mission's report?

Is that the procedure the Council wishes to follow? If there is no objection, then the Drafting Committee will formulate the necessary reply in accordance with the terms which I have just outlined.

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

The PRESIDENT: The in regard to the Mulla Atta Muhammad petition, as presented by the representatives of the United Kingdom and the Philippines has now been typed and is now being circulated. I would invite the Council to give that text its consideration.

The text now reads:

"THE TRUSTEESHIP COUNCIL

"CONSIDERING the petition of Mulla Atta Muhammad, which calls attention to certain laws and regulations involving racial discrimination in the Trust Territory of Ruanda-Urundi; and

"CONSIDERING that the Trusteeship Council has had occasion previously to consider this question,

"RECOMMENDS that the Administering Authority should review all legislation involving racial discrimination

/particularly

particularly the laws on residence, land tenure, alcoholic beverages, firearms and the penitentiary system; and that the petitioner be informed that the question of racial discrimination has been and is being examined by the Trusteeship Council and that the Trusteeship Council is in communication with the Administering Authority on the subject."

Is that text agreeable to the Council?

/Mr. SOLDATOV:

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Could we not replace the word "review" with the word "abolish"?

The PRESIDENT: On which line?

Mr. SOLDATOV (Union of Soviet Socialist Republics): What is written is that "the Administering Authority should review" -- instead of "review", "abolish" -- "all legislation..."

The PRESIDENT: The representative of the Soviet Union proposes to substitute the word "review" by "abolish".

Mr. GARREAU (France) (Interpretation from French): As far as I am concerned, I cannot accept the draft resolution of the Philippine delegation for the reason that I gave the other day.

I believe that it is not the petition of Mulla Atta Muhammad that will lead the Trusteeship Council to adopt a recommendation on such an important problem as racial discrimination. As far as I am concerned, I refuse to allow any connexion between Mulla Atta Muhammad and the question of racial discrimination.

As I said the other day, if such a recommendation were submitted to the Council, I would sympathize with it, but, as far as I am concerned, I refuse to allow that there is any connexion between one of the most important problems that the Trusteeship Council has to deal with and the petition of an individual who has decided to send in a petition that is rather vaguely worded. It would come to seem that it was on the intervention of Mulla Atta Muhammad that the Council decided to adopt a recommendation as important as that one which has just been submitted, and Mulla Atta Muhammad might well find himself in a position to say, "See, it was because of my petition that the Trusteeship Council decided to adopt this recommendation."

As I said previously, these are two different questions, so that I do not find it to be the right moment for passing this recommendation because of the connexion that will be established between it and the petition.

The PRESIDENT: Does the representative of the Soviet Union
/formally move

Formally move that as an amendment to the text? Are there any observations on that proposed amendment to substitute the word "review" by the word "abolish"?

Sir Alan BURNS (United Kingdom): I regret that I could not accept the amendment.

The PRESIDENT: I believe the word "review" implies revision, does it not?

Mr. INGLES (Philippines): The word "review" here was used advisedly, because it is the same wording as the recommendation of the Visiting Mission's report. Moreover, the word "review" in our opinion is broad enough to include abolition if, in fact, such legislation is found to be discriminatory.

The PRESIDENT: It seems to me that the proposed amendment does not seem to receive general support. I shall put the proposed amendment, namely to substitute the word "review" by the word "abolish", to the vote.

A vote was taken by a show of hands.

The proposed amendment was rejected by 5 votes to 4.

Mr. SAYRE (United States of America): I would like to be informed of the reason for including the words in the middle of the concluding paragraph: "laws on residence, land tenure, alcoholic beverages, firearms and the penitentiary system". I think that sequence was taken from the observations of the Visiting Mission. I may be wrong.

My question is whether those words in the observations of the Visiting Mission were not based on other petitions as well as this. In other words, the question which I am asking myself is whether in the petition from Mulla Atta Muhammad there is anything whatsoever about the penitentiary system or about land tenure.

I was just looking over the petition which is on pages 10 and 11 of document T/217/Add. 1. I did not see anything, but the time has been so short, I may have missed it. Might I ask whether there is anything /in that petition

in that petition relating to land tenure, to firearms or to the penitentiary system?

The PRESIDENT: In any case, I think the recommendation is not intended to convey the meaning that it is specifically in response to this particular petition.

Mr. SAYRE (United States of America): Then what is the reason for the first paragraph which reads, "CONSIDERING the petition of Mulla Atta Muhammad, which calls attention to certain laws and regulations involving racial discrimination...?"

The PRESIDENT: In fact I think this is more to inform the petitioner that that question has been previously considered, even without reference to his petition.

Mr. RYCKMANS (Belgium) (Interpretation from French): The observation advanced by the representative of the United States meets the observation of the representative of France.

The resolution says that the petitioner is to be informed that the question of racial discrimination is being examined by the Trusteeship Council, but if the petitioner is to get a copy of that resolution, there is no need for him to be informed specially that the question is being examined by the Council. I would agree to his being informed that the thing is before the Trusteeship Council if he does not get a copy of the resolution; if he does get a copy of the resolution, then it is no use telling him that the thing is before the Council, because he is going to see that if he reads the text. If he gets a copy of the resolution, then he will wonder what we are talking about. He will say: "I did not talk about the penitentiary system; I did not talk about land tenure; why did they answer me about something that I did not even raise?" That is the question that he will ask himself.

Therefore, this comment fully meets the comment of the representative of France that, in reality, if the Council wishes to make any observations to the Administering Authority with respect to the land tenure system (I do not know the tenure of what lands, incidentally, but that is beside the point) and the penitentiary system, it should not be done as a result of the petition. It cannot be done as the result of a petition. You cannot reply in this way to a petition which does not even
./mention the subject

mention the subject. There is no particular reason to ask the Administering Authority to review that particular legislation.

Furthermore, on a point of explanation, would the Council mean to say that the Administering Authority is requested to abolish special protection granted to indigenous-held lands? Is that the idea? Is it suggested that all legislation involving racial discrimination be abolished as regards land?

Right now, however, indigenous-owned lands are protected in the sense that they are inalienable. Is it proposed that this inalienability be abolished or suppressed?

Sir Alan BURNS (United Kingdom): The draft intended that the sentence reading "and that ~~the~~ petitioner be informed" should be in a separate paragraph to make it quite clear that all that the petitioner was going to be informed was that the question of racial discrimination has been and is being examined by the Trusteeship Council and that the Trusteeship Council is in communication. It is not intended that the petitioner should get a copy of the resolution, which has nothing whatever to do with him.

/My original proposal

My original proposal on Friday, as you may remember, was a sentence such as that alone. This is a compromise made when the representative of the Philippines and I came together to try and find some solution.

The PRESIDENT: As I was looking at the text, I was wondering whether it would not be desirable for the Council to pass a general resolution, inasmuch as many petitions overlap on these questions. The first clause would thus read:

"CONSIDERING certain petitions which call attention to certain laws, and considering that the Trusteeship Council has had occasion previously to consider these questions,

"RECOMMENDS....."

Otherwise we should have to pass identical resolutions on every single petition, although they may overlap or be related to the same subject. They may not be in that exact order, but it seems to me that a general resolution would constitute a basis for the reply to the petitioners that the Council had previously been seized with the question, and is considering it and is in communication with the Administering Authority.

Sir Alan BURNS (United Kingdom): That would be quite agreeable to me and, in fact, it was what I suggested the other day. The point was that I had suggested ^{that} a formal resolution, such as the President proposes, should be dealt with when we are dealing with the report of the Visiting Mission at the next session.

The representative of the Philippines was anxious that we should not send any reply without dealing with that point now. That is why as a compromise it is in the present draft.

But as I said on Friday, that is how I should like to deal with it.

Mr. CRAW (New Zealand): In any case, it seems to me that the second part of the operative part of this resolution is not very clear.

The representative of the United Kingdom says that the second part should be separate, but might I point out that the second part, in effect:

"RECOMMENDS..... that the petitioner be informed"

/Should it not be

Should it not be:

"DECIDES that the petitioner be informed..."

because the "and that" follows on from the "RECOMMENDS".

It is just a point of drafting that occurred to me.

Mr. INGLES (Philippines): We would have no objection to the suggestion of the President that this be made more general in character, so that instead of referring particularly to the petition of Mulla Atta Muhammad, as objected to by the representatives of France and the United States, this would refer in general to all petitions which call attention to discriminatory legislation.

We therefore accept that amendment, and we further accept the amendment of the representative of New Zealand, in order to clarify the text of the last part of the last paragraph, so that it will form a separate paragraph.

Mr. RYCKMANS (Belgium) (Interpretation from French): If the Council desires, it may decide so, but I do not think that would be very flattering to the Visiting Mission.

The PRESIDENT: Would it be better to have it singly?

Mr. RYCKMANS (Belgium): I do not know. . . It is for the President to judge. But I do not think it is very nice to the Visiting Mission.

The Visiting Mission is entrusted by the Trusteeship Council with the duty of considering the question of racial discrimination; it comes back and makes recommendations; and then the Trusteeship Council decides that owing to certain petitions, it should pass a resolution. This, to my mind, is not very flattering to the Visiting Mission, but if the Council feels it is right, I have no objection.

Mr. GARREAU (France) (Interpretation from French): The amendment which the President has advanced met the principal objection which I formulated a while ago.

/It would indeed

It would indeed be an improvement to adopt the amendment which has already been accepted by the representative of the Philippines, but the other question that now arises, is whether it is timely to adopt a resolution of this kind while we had already decided to postpone until the next session any decision in connexion with the report and the various draft resolutions that were submitted to the Council by members of the Mission.

I support what has been said by the representative of Belgium in this connexion. I do not see why, in connexion with a petition, it is proposed that we adopt a very general and far-reaching recommendation while the whole of the Visiting Mission's report will be taken up at the next session, and will be the object of recommendations, conclusions and findings by the Trusteeship Council. Why should not this resolution be adopted then, rather than now? It is a question of timing that I raise.

As I have already indicated, I am in favour of this kind of resolution: I have no objection to it as to its substance. But I wonder why it is suggested that we now adopt a recommendation without waiting for the time when we take up the report of the Visiting Mission, at which time we shall take final action in connexion with the suggestions and recommendations submitted by the members of that Mission.

I think a deplorable confusion has occurred as between the examination of petitions and of the report of the Visiting Mission, and no conclusions may be drawn therefrom.

The PRESIDENT: I think that question has been discussed in previous meetings. The Council may recall that it was decided that these petitions should be replied to without waiting for the Council to decide on the Visiting Mission's report, particularly in view of the remarks of the representative of Belgium, that insofar as the petitions were concerned, the observations of the local administrations are already available.

There does not, therefore, appear to be any reason why the Council could not form its opinion in regard to the petitions. I think also that the omission of any reference to the Visiting Mission was based on the assumption that the Council should not approve the Visiting Mission's report piecemeal.

/I am inclined to

I am inclined to agree with the feeling that the Council should not put on record that it adopts this recommendation entirely on the merits of the petitions, but, rather, has based its judgment on the Visiting Mission's report.

In order to meet that point, does the Council agree to adding, after the second clause:

"and

"HAVING CONSIDERED the observations of the Visiting Mission on this question,

"RECOMMENDS....."

Would that be more acceptable? I believe that if we adopt it as a general recommendation on this question, and also add this clause, that seems to obviate the objections raised.

Sir Alan BURNS (United Kingdom): Presumably, then, you would not put in the reference to the petitioner, Mulla Atta Muhammad.

The PRESIDENT: No. Then this first entire resolution, as accepted by the representative of the Philippines and I believe also by the representative of the United Kingdom, is:

"CONSIDERING certain petitions, which call attention to certain laws.....etc."

The second part remains, and the third clause would be as follows:

"and

HAVING CONSIDERED the observations of the Visiting Mission on this question...."

That is not tantamount to any approval of the report, but this comes within the review of the Council.

Mr. INGLES (Philippines): In connexion with this discussion about the Visiting Mission, I find that the argument has been proceeding somewhat strangely. When this matter was discussed at the last session, there were objections to the mention of the Visiting Mission, and now that the Visiting Mission has not been mentioned in this resolution, the objection has been raised that the Visiting Mission is not mentioned.

/The PRESIDENT

The PRESIDENT: I have already explained the situation. The omission was deliberate because of that objection, but I also feel that some mention of the Visiting Mission will remove the present objection.

Would that be agreeable to the representatives of the United Kingdom and the Philippines?

/Sir Alan BURNS

Sir Alan BURNS (United Kingdom): I am bound to say that it has been played about so much that I am beginning to disown my own child here in this draft.

I still think, as I said on Friday, it would be far better to send a formal reply to the petitioner now and deal with the whole question of racial prejudice when we consider the report of the Visiting Mission. There are still other matters to be considered and we are not dealing with that.

The PRESIDENT: We will go back to a more fundamental discussion and it seems to me that the child, having been born, might be given a chance to grow a little.

Mr. SAYRE (United States of America): I am a little confused as to what is the present text being discussed. I wonder whether this might be reread or possibly mimeographed and circulated while we go on to the consideration of another petition.

The PRESIDENT: It is a very slight change so I will read it again.

"The TRUSTEESHIP COUNCIL

"CONSIDERING certain petitions which call attention to certain laws and regulations involving racial discrimination in the Trust Territory of Ruanda-Urundi,

"CONSIDERING that the Trusteeship Council has had occasion previously to consider this question and,

"HAVING CONSIDERED the observations of the Visiting Mission on this question,

"RECOMMENDS "etc.

It continues just as the mimeographed text except for the addition of the word "DECIDES" in the last sentence where it says: "and decides that the petitioner be informed."

Sir Alan BURNS (United Kingdom): If we are to proceed as you suggest, I think the last sentence should be deleted and an entirely separate reply sent to the petitioner. We are dealing now with several petitions and therefore we cannot send this reply to a single petitioner.

The PRESIDENT: Would you say "petitioners"?

Sir Alan BURNS (United Kingdom): I would leave it out altogether and draft an entirely separate reply for each petitioner.

The PRESIDENT: All right.

/Sir Alan BURNS

Sir Alan BURNS (United Kingdom): If this resolution, which the President is suggesting now, is dealing with the general question of all petitions and of the question as raised in the Visiting Mission's report, it cannot be dealt with in connexion with this resolution.

Mr. RYCKMANS (Belgium) (Interpretation from French): Does the Council take into account the convention of Saint-Germain-en-Laye which has not been abrogated? According to the convention of Saint-Germain-en-Laye we cannot permit the sale of alcohol to the indigenous inhabitants, but here it is suggested that we abolish all legislation involving racial discrimination regarding alcoholic beverages.

Furthermore, in connexion with the question I raised regarding land tenure, is it suggested that we abolish legislation making indigenous-owned land inalienable? European-owned lands, as you know, are not inalienable but indigenous-owned lands are. That is discrimination in favour of the indigenous inhabitants.

According to this draft resolution, we would abolish this discrimination in favour of ^{the} indigenous inhabitants. Is that what is wanted?

The PRESIDENT: That would be left to the Administering Authority in its review of legislation.

It has been suggested that the last sentence be deleted. I do not think that that matters too much.

Mr. RYCKMANS (Belgium) (Interpretation from French): I am not directly interested in this matter and I intend to abstain from voting on this draft resolution.

The more I look at it, the more strange things I see. For instance with regard to firearms, it has been imposed upon us by the convention of Saint-Germain-en-Laye, which is still in force, to control the sale of firearms to the indigenous inhabitants. The sale of firearms to the indigenous inhabitants may entail serious dangers because those people are often prone to use those firearms to fight among themselves and that might lead to unfortunate results.

It seems that the adoption of such a generalized resolution, to which the Administering Authority would have to reply, will entail an answer to the effect that the Trusteeship Council has not taken into account certain aspects of such-and-such a convention or such-and-such legislation, which is necessary.

I think that the Trusteeship Council would act much more wisely if it merely decided to inform the petitioner that the question of racial discrimination has ^{been} and is being examined by the Trusteeship Council and that the Trusteeship Council is in communication with the Administering Authority /about this

about this matter.

The petition of Ahmed Ishak bears upon some resolution regarding Asians. It does not raise the question of the indigenous inhabitants. However, as the members of the Council well know, numerous measures have been taken to the exclusive end of protecting the indigenous inhabitants. This protective legislation does constitute discrimination.

The PRESIDENT: Is it agreeable to the members of the Council that we drop the last sentence?

Mr. NORIEGA (Mexico) (Interpretation from Spanish): It seems to me that the scruples of the Belgian delegation would be admissible only if, in the recommendation of the Council, the condition did not exist that we recommend to the Administering Authority that it review all legislation involving racial discrimination.

This leaves it to the discretion of the Administering Authority as to what revision it will make. For example, it would decide not to review the question of control of distribution of firearms. We would therefore be making it clear that, in accordance with the convention of Saint-Germain-en-Laye, this would not be the kind of discrimination that we mean.

I am certain that, under the provisions of the convention of Saint-Germain-en-Laye, there are cases where the indigenous population may possess firearms. We want to indicate that the Administering Authority undertake a review of the legislation.

I do not think that the Council is mistaken in this at all. It merely recommends a review. When the Administering Authority undertakes this review it will see whether it is not possible to approve new measures or whether it is not possible to amend the law or whether it finds that the law should stand as it is; for example, in regard to the sale of alcoholic beverages or firearms.

My delegation finds that the present legislation might be adequate but that circumstances have arisen that would require its review. There is, therefore, no problem.

The PRESIDENT: The representative of the United Kingdom has proposed the deletion of the last sentence. Are there any objections? The rules of procedure require that all petitioners be informed of the decisions of the Council. Therefore it seems to me that the existence or the deletion of this sentence does not alter the situation.

Let us drop the last sentence because it does not amount to anything.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I have no objection, in principle, to the deletion of the second part, but how are those petitioners going to be answered?

The PRESIDENT: Rule 93 of the rules of procedure states:

"The Secretary-General shall inform the Administering Authorities and the petitioners concerned of the actions taken by the Trusteeship Council on each petition, and shall transmit to them the official records of the public meetings at which the petitions were examined."

Therefore the petitioners will have all the information they might wish.

/Mr. SAYRE

Mr. SAYRE (United States of America): Might one not add to that that, if my memory serves me correctly, we have already taken action on the personal part of this petition, which is the bulk of the petition. The petitioner will, therefore, receive a communication from us which I should think would satisfy the provisions of the rules which you have just submitted.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I want to have some further clarification. Does this mean that we will merely communicate to the petitioner what was decided in connexion with his personal complaint, or shall we advise him in connexion with the decision which we are about to take now as well?

The PRESIDENT: The petition is also concerned with problems on which the Council has already taken the decision to make this recommendation. Therefore, in the reply of the Secretary-General, apart from the individual complaints, reference will also be made to this recommendation.

Are we then agreed upon the deletion of the last sentence?

Mr. CRAW (New Zealand): This point does not relate directly to this petition, but, just as a matter of interest, I want to say that, since we are showing so much concern at the moment over rule 93 and the point of informing the petitioner, I hope the members of the Council will not forget that rule when it comes to anonymous petitions.

The PRESIDENT: They will be a person or persons unknown. We shall look after it.

Mr. INGLES (Philippines): When I asked for the floor several minutes ago I was going to accept the amendment -- the deletion, precisely of this last paragraph on the understanding that the rules of procedure do not prohibit -- and, as a matter of fact, require -- that each petitioner be informed of the action taken on his petition, and that therefore each petitioner raising the question of personal discrimination will be furnished with a copy of this resolution.

The PRESIDENT: That is the case.

/Sir Alan BURNS

Sir Alan BURNS (United Kingdom): If that is so, I cannot see why we are discussing any resolution at all. We are now dealing with the question of the petition. If nothing is to go to the petitioner, I do not see why we are considering anything at all in the matter. It should wait for the Visiting Mission's Report: that is what I said on Friday.

The PRESIDENT: Now everybody thinks that the petitioner will be so informed.

Sir Alan BURNS (United Kingdom): In that case, he is going to get the impression which we have been trying to avoid that he is responsible for the whole thing.

The PRESIDENT: He may get that impression: that is why the amendment says "certain petitions" -- so that no single petitioner can say it is his own petition. Also, the addition of the clause: "having considered observations of the Visiting Mission" lessens again the exclusive claim of any petitioner to the result of this petition. The records will also show that certain representatives make this point clear. It was not as a result of any single petition, but as a result of the Council having had occasion previously to consider this question and having considered the observations of the Visiting Mission.

Will those in favour of the text, as amended, please raise their hands.

A vote was taken by show of hands.

The draft resolution, as amended, was adopted by 7 votes to none.

PETITION FROM MOLADAD PIRANDITA (T/PET.3/4)

The PRESIDENT: The issues of a general character raised in this petition are summarized on page 21 of document T/264. The petitioner complains about taxation: "It is stated that European merchants are not subject to the same heavy taxes as Asians."

The Local Administration observes "that all persons, without distinction, are subject to taxation, and that the petitioner has been taxed on his own returns". "The Visiting Mission comments only to the petitioner's personal tax situation".

/The Visiting Mission

The Visiting Mission "considers that the information collected during its enquiry does not reveal anything that justifies the submission of recommendations to the Belgian authorities".

If there is no observation on this petition, I think it will be the desire of the Council to reply to the petitioner that the Visiting Mission has found nothing to support the allegation or to justify any recommendation to the Belgian authorities. Is that correct? A drafting committee will formulate this reply.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Could we recall the decision of this Council regarding the personal part of the petition?

The PRESIDENT: The personal part of the petition obtained a decision by the Council to this effect: "That the Council will uphold the conclusions reached by the Visiting Mission, and will make no recommendation in connexion with this petition".

Petition No. 5 having been disposed of, we will come to No. 6, which is anonymous.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): We were considering No. 4, I thought. Is that correct?

The PRESIDENT: I have already related the decision of the Council in regard to No. 4, and I also added that, in the lack of any observation, the Council would uphold the Visiting Mission's Report that there is nothing to justify any recommendation to the Belgian authorities in regard to discrimination against Asians.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Yes, but after that comes No. 5, the petition of Mwambutsa, the Mwami of Urundi.

The PRESIDENT: No. 5, the petition from the Mwami of Urundi, has been disposed of. The decision of the Council was that, since the matter has already been submitted on consultation to the two Administering Authorities concerned, no action is called for

/by the Council

PETITION FROM GUSSAMUYIGA MATTHIEU (T/PET.3/8)

The PRESIDENT: We now come to number 8, the petition by Gussamuyiga Matthieu.

The petitioner devotes most of his communication to a favourable review of the development of the Trust Territory, but requests that the Council of the Vice-Governor-General should be so constituted as to include the progressive elements of the indigenous population, of whom he describes himself as the spokesman.

There are no observations by the local administration, but the Visiting Mission has made certain observations on pages 21 to 23 of its report.

In view of the decision to defer further conclusions on the Visiting Mission's report, perhaps the Council would like to defer any conclusive reply, except to state that the matter will be discussed when the Council examines or further discusses the report of the Visiting Mission at its next session.

The Visiting Mission's recommendation was that the Visiting Mission welcomes the ^{recent} establishment of the Council of the Vice-Governor-General but regrets that there are no African members on the Council. It is therefore of the opinion that the Bami of Ruanda and of Urundi and three or four African notables or leaders each from Ruanda and from Urundi should be appointed members of the Council, and that the Council, at present an advisory organ, should be developed into a legislative Council in the near future.

That is a very definite recommendation, and, as I said, in view of the Council's decision to postpone conclusions on the observations of the Visiting Mission, perhaps the Council would like to do so in regard to this petition, except for the reply to the effect that the question will be discussed when the Council further examines the Visiting Mission's report at the next session. If that is agreeable, a reply to that effect will be sent.

PETITION FROM FRANCOIS RUKIIBA (T/PET.3/9)

The PRESIDENT: The petitioner makes complaints about the school examination system of the Brothers of Charity. The petition contains further that the sons of chiefs are favoured over other children, that difficulties exist in the way of engaging in trade,

/and complains

and complains about certain conditions of land tenure and the exportation of mineral deposits. The petitioner complains further that there is no judicial appeal beyond the court of the Mwari and that, in any case, the Mwari should have no judicial function.

On pages 4 and 5 of document T/264 these complaints are summarized, and I believe they are also summarized in various other parts of that document.

It seems to me again, inasmuch as the Council has deferred any decision on the Visiting Mission's report, that an interim reply would also be applicable to this case; and in so far as the petition alleges racial discrimination, I believe the Council's resolution, which has been adopted this afternoon, may also be communicated to the petitioner.

If that is agreeable, it will be so ordered.

PETITION FROM MUSSA BIN KALIMBA (T/PET.3/10)

The PRESIDENT: We come next to the petition by Mussa bin Kalimba, where no public issue is raised, so we shall go on to the next one.

PETITION FROM THE TANGANYIKA BAHAYA UNION (T/PET.2/53 and T/PET.3/11)

The PRESIDENT: Again there is no public issue involved, so the Council will take up the next petition.

PETITION FROM G. CLEMENT NFILEMBAQA (T/PET.3/12)

The PRESIDENT: The petitioner complains that educational facilities are inadequate and that the tax on Africans and their cattle...

Mr. RYCKMANS (Belgium) (Interpretation from French): I must inform the Council that, according to information received from the local government, despite considerable research in the region concerned, it has been impossible for the administration of Ruanda-Urundi to get any information on the author of this petition. He seems to be utterly unknown in the region of which he alleges to be a resident.

I therefore do not know whether this is a valueless document or a sound petition. All I can say is that nobody knows this person in the region of which he alleges to be a resident.

One other piece of information to that already available is what we hear from the Governor: it is to be noted that the indigenous

/inhabitants can engage

inhabitants can engage in commerce as they wish in the country or in the city. In this connexion, several thousand licenses have been made available in 1947.

The PRESIDENT: This petition, according to the Visiting Mission, was received after the departure of the Mission. Therefore, there is no observation by the Visiting Mission and, in view of the remarks by the representative of Belgium, perhaps the Council will adopt the view that no action is called for.

Light has just been thrown on the whereabouts of this particular petitioner. He does not live in Ruanda-Urundi but in Tanganyika.

Mr. RYCKMANS (Belgium): Perhaps it is like Siggins.

The PRESIDENT: In the petition, he describes himself as a teacher at Katoga, but he came from the town of Kitega in Urundi.

Mr. RYCKMANS (Belgium) (Interpretation from French): It says here that he originally came from Kitega in Urundi, but in Kitega nobody knows Mr. G. Clement Ntilempaga who claims to be from there. Nobody ever heard of him.

The PRESIDENT: It is the Council to reply that the petition was received after the Visiting Mission's departure, and that the Council feels that no action is called for on the petition, except in so far as it relates to certain general matters, and that it will be discussed by the Council in conjunction with the consideration of the Visiting Mission's report; that seems to be indicated, if agreeable to the Council.

I understand that, in so far as Ruanda-Urundi is concerned, there is one more petition, and I should like the members of the Council to turn to page 2 of document T/234, at the top of the page under "3", a petition by R. Van Saceghem.

/Mr. NORIEGA

Mr. NORIEGA (Mexico) (Interpr tation from Spanish): I am sorry to have to interrupt, but my delegation wishes to register the fact that when it neglected to raise an objection in connexion with the drafting that has been given to resolutions of the Council in connexion with petitions, which state that "their study has been postponed because we have not yet considered the report of the Visiting Mission," it has not raised any objection except with the purpose of expediting the work of the Council in this session. But it does not believe that it is thereby setting a precedent which would give to a petition a treatment other than that required by the rules of procedure and terms of reference of the Council. That is to say, this is a case where my delegation has acted with the purpose of saving time.

my delegation wishes to make it clear that it will not go along with the treatment of petitions in this way as a precedent.

FROM R. VAN SACEGHEM (T/Pet.3/14)

PRESIDENT: In regard to the petition by Saceghem, that is document T/Pet 3/14, the complaint, of a general nature, is summarized on page 23 of document T/264 as follows:

" There are no official State schools in the Territory for the indigenous population, and with the complicity of the State the missions have acquired a de facto monopoly of education, which is very harmful to the interests of the natives. The principal interest of the missions has not been education, but missionary work. The immediate need is to establish State normal schools for the training of teachers, and it is proposed that a scholarship be granted to a mulatto youth to study in Belgium with a view to appointment as director of or teacher at a State normal school."

It seems to me that in regard to that particular request for a scholarship, the Council has already had a session to discuss it, and I believe has come to a decision as to how to reply.

With regard to the educational situation, I believe that should also come under the same rule and the same formula which the Council has adopted in regard to other matters raised in the Visiting Mission's report, namely, that the Council will not give any conclusive reply on this question until it has examined the report of the Visiting Mission.

/ We have come

We have come to the end of the petitions relating to Ruanda-Urundi. There are several other petitions which, I believe, can be disposed of rapidly.

PETITION FROM HALINA GARAS (T/Pet.2/56) ✓

I wish to draw attention to document T/234. At the bottom of page 2 there is summarized a petition from Halina Garas. The original is in document T/Pet.2/56.

The petitioner, who states that she arrived in the Territory with her father and mother as Polish refugees, expresses the fear that the departure of her parents from the Territory may be ordered in spite of an offer of herself and her husband to guarantee their good conduct and security. She appeals to the United Nations to intervene on her behalf.

I ask whether the representative of the United Kingdom has any observations on this petition.

Sir Alan BURNS (United Kingdom): The petitioner's mother and father have not a prima facie claim to remain in Tanganyika.

They entered the Territory under an organized refugee scheme and will, in the normal course of events, be moved from the Territory under arrangements to be made by the Provisional Commission - International Refugee Organization.

Mr. Kobolski, the father, is not considered by the Tanganyika Government to be a suitable person to be allowed to remain permanently in Tanganyika, this in view of the fact that he has been convicted locally of two criminal charges; the first, a price control offence, for which a fine of two thousand shillings was imposed; and the second, theft, for which a fine of fourteen hundred shillings was imposed. Both fines were paid.

He has on several occasions petitioned the local authorities for permission to remain in Tanganyika, but this was refused after the most careful consideration had been given to his request.

I do not consider that the Council should take action on this petition in view of the criminal offences of which Mr. Kobolski has been convicted, which indicate that he is not a desirable person to remain in the Territory. And secondly, because if they do remain in the Territory now, and advantage is not taken of the machinery of the International

/ Refugee Organization

Organization, there is a danger that Mr. and Mrs. Garas, later on may be unable or unwilling to support their parents, in which case they will become a charge on the Territory, and he certainly is not an asset in Tanganyika.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): As I do not wish to commit a mistake in this connexion, I would like first to know whether under the penal code in Tanganyika, theft may be punished with a fine rather than by imprisonment.

Sir Alan BURNS (United Kingdom): I presume so, as that was actually what was imposed on him.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I understand that the penal code establishes the principle that no-one may be punished twice for the same crime.

If this individual has committed two crimes and has been punished for both, I think that what is in order is to wait until this man commits another crime, in which case he may be liable to expulsion. If he has been punished, and he has on both occasions paid his fine, I do not think that legally you can suggest the expulsion. It would be contrary to the principle of double jeopardy.

It would therefore be more proper, if the Administering Authority could find its way to doing so, to give a new opportunity to this individual, given that there does exist a family problem for him.

Now if the case would be that he commits a new crime, then expulsion proceedings could be undertaken. But I insist you cannot twice punish a single crime.

Sir Alan BURNS (United Kingdom): This gentleman is not being punished by being sent out of the country. He has no claim to be there. He is not a native of Tanganyika. He was admitted as a refugee during the war and has applied for permission to come in to live in the country, and is not considered a fit and proper person to do so. No one in any country as a definite right. He has to satisfy the government that he is a fit and proper person.

The PRESIDENT: If there are no further observations is it the desire of the Council that a reply should be given to the petitioner that no action is called for? Is that agreed?

/ PETITION FROM

PETITION FROM THE NATURAL RULERS OF SOUTHERN SECTION OF TOGOLAND
(T/PET.6/12)

The PRESIDENT: Now we have the Petition from the Natural Rulers of Southern Section of Togoland. The petition relates to the establishment by the United Kingdom and French authorities of the Consultative Commission dealing with the problems of the Ewe people which were the subject of petitions considered by the Council at its second session.

The petitioners claim that a constitutional provision that the indigenous representatives on the Commission should be Togoland residents in Togoland has been abused and that the election of certain representatives should be revoked. They also state that in view of the extensive nature of the problems the number of indigenous inhabitants should be increased to five and they ask that new elections be held.

I believe the Council has had occasion to discuss this petition before but no conclusions have been arrived at in connexion with this case.

The Council has heard a statement made by Mr. Sutherland, the Special Representative of the Administering Authority of Togoland, and it was decided that the Council should discuss this question further in connexion with the reports on Togoland.

Sir Alan BURNS (United Kingdom): I was going to suggest to the Council that this petition should be postponed until after the Visiting Mission had paid its visit. We have just, at the recent session of the Council, come to a decision regarding the organization in Togoland of the Ewe question and as I have reason to believe that several of the signatories of this petition have changed their minds since signing, it seems that it would be proper to postpone the consideration of the petition until the Visiting Mission has paid Togoland a visit and is able to report on the matter.

The PRESIDENT: The representative of the United Kingdom has proposed that no definite conclusion be arrived at until the Visiting Mission has studied the situation when it goes to Togoland. Is that agreed? Then I would suggest that a reply be sent to the petitioner that a Visiting Mission is going to Togoland under British Administration and will study the problem raised in his petition. Is that agreed?

/PETITION FROM PAUL

PETITION FROM PAUL WAMBA KUDILILWA (T/PET.2/62)

The PRESIDENT: The next petition on the agenda for this afternoon is the petition from Paul Wamba Kudililwa (document T/PET.2/62).

The petitioner, an ex-native Chief of Tanganyika, requests that in the event of his original petition for reinstatement is dealt with in a manner unfavourable to him that he be given half of his salary as pension in conformity with similar arrangements which, he states, apply to other Chiefs.

Sir Alan BURNS (United Kingdom): This document which we are now asked to consider as a petition seems to me to be no more than a reminder. When Mr. Wamba Kudililwa wrote his letter of 16 September 1948 he had not received the Council's reply to his petition of 12 January ¹⁹⁴⁸. The only new request that is now before us is that if his first petition were turned down he should receive a grant of money.

The circumstances attending Wamba's dismissal were fully explained to the Council in document T/187 and there is nothing in the paper now before us to warrant the re-opening of the matter.

The PRESIDENT: It seems to me that this is a case which calls for no action. Is that agreed? Then a reply will be given to that effect.

PETITION FROM EMIL RUPPEL (T/PET.2/64)

The PRESIDENT: The next petition is the one from Emil Ruppel (document T/PET.2/64).

The petitioner, who says he first went to the territory in 1903 and was allowed to return in 1927 after the First World War, complains that he has received an expulsion order from the Tanganyika Government without being given any reasons. He claims that his appeal was rejected and that his whole property and assets were appropriated by the Custodian of Enemy Property. He states that he and his wife -- who are over 70 and 67 years of age respectively -- are anxious to join their only surviving son in the Argentine. Although they have obtained a Libre Desembarco from the Argentine Republic, which was sanctioned by the Tanganyika Government, they are unable to avail themselves of it as they have no funds for the journey. Since the
/only alternative

only alternative, he states, for him and his wife is repatriation to Germany where he feels that unemployment, hunger and eventual starvation await them, he appeals to the United Nations to help them join their son.

Sir Alan BURNS (United Kingdom): I have recently received a telegram stating that the Tanganyika Government agreed to pay the passages of Mr. and Mrs. Ruppel to join their son in the Argentine.

The PRESIDENT: Then the case calls for no action by the Council. Is that agreed?

Then may I ask whether the Council is ready to discuss the report on Tanganyika? I understand that Sir George Sanford will be leaving us very soon and we want to avail ourselves of his presence here in the examination of the report on Tanganyika.

I would suggest that the Council take its usual recess and resume at 4.30 p.m. when we will consider the report on Tanganyika.

The Council recessed at 4.07 and reconvened at 4.38 p.m.

/The PRESIDENT:

The PRESIDENT: Will the Council please come to order.

REPORT OF THE VISITING MISSION TO TANGANYIKA UNDER BRITISH
ADMINISTRATION (T/214, T/218 Corr.1)

The PRESIDENT: The Council will now begin the consideration of the report of the Visiting Mission to the Trust Territory of Tanganyika under British Administration.

Before we begin the discussion, I would like to invite the attention of the representatives on the Council to a corrigendum contained in document T/218 Corr.1 in which there are many corrections which will have the effect of changing the meaning of some of the sentences ; and in order to avoid wasting time in misinterpreting the various passages, I think it would be worth while to pay special attention to these corrections.

To begin with, I will call on the representative of the Administering Authority, the representative of the United Kingdom, to make an introductory statement.

Sir Alan BURNS (United Kingdom): As the Council is aware, I stated early in this session that ^{my Government} had not yet received the necessary information which would allow it to send its comments to the Trusteeship Council on the report of the Visiting Mission, and the members of the Council will remember that I pointed out one slight error which I myself, from my own personal knowledge, was able to call attention to.

I suggested to the Council at that time that it may be that there are other errors of fact, and there will certainly be errors of deduction, in the report of the Visiting Mission, and for that reason I thought it desirable that the consideration of the report should not proceed until the Council was in possession of the comments of the Administering Authority.

However, the Council decided otherwise, and I undertook to do my best with what information I could provide in the preliminary examination of the Visiting Mission's report.

/I tried at

I tried at that time to obtain the services of Mr. Lamb as special representative, who would be in a position to give up-to-date information about Tanganyika. Unfortunately, Mr. Lamb's ^{poor} health interfered, and we are fortunate in having here Sir George Sanford, who came here in a totally different capacity but has kindly offered to act for this occasion as special representative. He and I will be very glad to give such information as we are capable of giving, but I must warn the Council that Sir George Sanford has not been a member of the Tanganyika Government for two or three years, although he has been in East Africa, and I myself have not had the advantage of being in Tanganyika at all.

The PRESIDENT: I think the Council would like, as usual, to invite the Chairman of the Visiting Mission to sit at the Council table, and also I would like to take this opportunity to welcome Sir George Sanford, on behalf of the Council, as special representative for the Trust Territory. Does the Chairman of the Visiting Mission have any statement to make at the beginning of the discussion?

At the invitation of the President, Mr. Laurentie, Chairman of the Visiting Mission to Tanganyika under British Administration, and Sir George Sanford, special representative for Tanganyika under British Administration, took their seats at the Council table.

Mr. LAURENTIE (Chairman of the Visiting Mission) (Interpretation from French): No, the report has been submitted to the members of the Council. I think that if the Council has any questions to ask, the questions should be asked by the various members. I do not think that any further comments have to be made by us on a report which is already fairly extensive and which includes all the findings that the Mission has been able to make during its trip.

Mr. RYCKMANS (Belgium) (Interpretation from French): I find it rather easy to speak on the report regarding ^{the} Tanganyika Territory, particularly since my Government is not directly concerned.

When I spoke on the report of the Visiting Mission to Ruanda-Urundi, I was asking that the examination of that report be postponed, but some of the members of the Council might have believed at the time that my Government was eschewing disagreeable questions, or was attempting to

/drag out

drag out a discussion which, after all, had to take place someday.

But now I find it much easier to adjust myself to a question involving a Territory where I am not directly concerned.

In the interest of the work of the Council, I will ask the members to examine carefully what we ought to do with this report. Nothing in our rules of procedure obliges us to make a report on the report. We sent a Visiting Mission to East Africa. That Visiting Mission has submitted its report. I do not think that it is incumbent upon us to give it a satisfecit. I think the members of the Mission did their best; they worked hard; they garnered all the information that they could. Must we submit a report necessarily where we would say "yes, they did wonderful work"? Is it really necessary to do that? Would it have any effect? Would it necessarily be pleasant to the members of the Mission to have such a paper written out?

What is our duty to the General Assembly, incidentally? It is our duty to report to the General Assembly every year on the situation in each Territory. It is our duty to tell the Assembly what developments have arisen in the various Trust Territories, and we have to take as the basis of our examination, the annual reports of the Administering Authorities, possible reports of any Visiting Mission that may have visited that Territory, petitions and any other means of information that the Council may have at its disposal.

Frankly, I think it would be much better for the Council to confine itself to reporting once a year to the General Assembly, as prescribed by the rules of procedure, with respect to each Territory, and if, with respect to any Territory, we have available both the annual report of the Administering Authority and the report of the Visiting Mission, we should examine both these documents, add thereto the result of the examination of petitions and combine all the results of our consideration into one omnibus report to the General Assembly.

Let us not forget that we have about a dozen annual reports to consider. We will have more than that to consider in the future; the number of petitions will increase rather than decrease, and it hardly is appropriate for this Council to become a parliamentary body sitting throughout the year. This is exactly what may happen if we consider each Visiting Mission report separately from the report of the Administering Authority.

Nothing compels us to submit a report on the report of the Visiting Mission at all.

/The PRESIDENT:

The PRESIDENT: I think the representative of Belgium is quite right when he says that there is nothing to oblige the Council to compile a report on a report. I think the Visiting Mission has presented a report of its visit to the Council, and it is now incumbent on the Council to receive and to examine that report to see whether it can derive more knowledge from it in regard to the Territory, and also whether it agrees with the views and findings of the Visiting Mission. Of course, this extra knowledge of the Territory will help the Council in the examination of the annual reports and also in the formulation of the general report to the General Assembly.

I think, as the representative of Belgium rightly points out, the Council is to report each year only once to the General Assembly on its Trust Territories, and it will present such a report to the General Assembly on the basis of all information collected from various sources including the reports of the Visiting Missions, petitions and other available, appropriate sources.

Mr. LIN (China): I should like to make only a very minor observation. The members of the Visiting Mission are human beings and to err is human. What we understood might have been really misunderstood; what we think we have heard might have been really misheard. So the report might have contained many factual errors.

But I want to say however that the error pointed out by the representative of the United Kingdom is not an error on the part of the Visiting Mission. As of last summer, Malaya College was to be under schedule 3 to be under the Inter-Territorial Organization. The decision to make it an autonomous institution was taken in January of this year, as pointed out by the special representative.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): My delegation believes that one of the most important functions of the Trusteeship Council, as a question of practice, is that which is carried out by its Visiting Missions.

I find that there would be no relation between this importance and the fact of allowing the report of a Visiting Mission slowly to die on the Council table, and of leaving the General Assembly not sufficiently informed about the specific conclusions that a Mission of the United Nations that the Council sent to a Territory would have reached in the light of the observations effected upon the Territory itself.

/Given the importance

Given the importance that the Missions have within the international trusteeship system, I believe that the reports of the Missions warrant special and detailed consideration. For this reason I do not believe that the observations of a Visiting Mission should be combined with the results of the consideration of a normal report of the Administering Authority.

This is why I believe that we should not for the time being take a resolution upon this subject, but, in view of the fact that our schedule will barely allow us ten or twelve days to exhaust the work of the Council, on the specific basis of lack of time and for no other reason, my delegation might come to agree that we postpone the study of the report upon this matter. There would be no other reason involved for us, for, as we have said, we consider that the report of a Visiting Mission can not be subordinated, for purposes of study, to the observations that the Administering Authority might want to make.

These reports were published in November 1948. We are now in the middle of March 1949, and still there are no remarks forthcoming from the Administering Authority involved, either in connexion with Ruanda-Urundi or Tanganyika. If there has been some delay in the study of these reports on the part of the Administering Authority, that is not the fault of the Trusteeship Council. It is not the Council's responsibility.

As has been previously said by my delegation, nothing in the rules of procedure establishes any conditions limiting the consideration of the report of a Visiting Mission to the previous reception of comments from the Administering Authority.

This is not necessary particularly since there is in the Council already a representative of the Administering Authority, who has sufficient competence to clear up whatever might be confused or wrong in the documents.

My delegation therefore can accept a postponement of the study of this report, but only upon the basis of lack of time, which lack of time is objectively noticeable, and is indeed imminent, as we have only ten or twelve days before the deadline. To bring our work to a conclusion in this session, this might be a necessary measure.

Also, the second part of the General Assembly is about to begin, and I am sure that many of the representatives who sit in the Trusteeship Council have to do preparatory work for the forthcoming second part of the session of the General Assembly. Thus, if the Council manages to wind up by 25 March, then we would be in a position to carry out more

/definitive studies

definitive studies of the subjects that are going to be dealt with in the next part of the session of the Assembly.

I would therefore ask the President to consider the possibility of postponing the study of this matter until the next session of the Trusteeship Council, not only for reason of lack of time, but for practical reasons. It happens that we are not going to get explanations that will be too useful, we are told, in as much as the special representative has not been in Tanganyika for more than three years, and the representative of the United Kingdom says that he is in more or less the same position. We would not have what might be called first hand information.

The PRESIDENT: This is a matter not for the President to consider alone, but for the Council as a whole to consider.

As far as time is concerned, I would like to say that we are still on schedule, as far as the ^{revised} time-table goes. Today is 14 March and we are slightly behind, but the next item is items left over from 7 March including some petitions which were disposed of earlier this afternoon, so if we spend today and tomorrow on the discussion of this report, we would be entirely on schedule. Also, the remaining days, according to our time-table, are devoted to the reports on the various Trust Territories.

The Council has set up a committee consisting of twelve members of the Council as a drafting body, and therefore, if the Drafting Committee completes its work, I expect the Council will require fewer days for the adoption of such reports than are allowed by the present time-table.

Therefore, if we do not consider the Visiting Mission's report, as originally planned, we shall at the same time have to postpone the petitions which were received through the Visiting Mission during its visit to Tanganyika. We shall be deferring those items on our agenda, and I think that the Council would have nothing to do for the next couple of days. I do not believe the Drafting Committee is ready to turn in any draft resolutions.

As far as the time-table is concerned, therefore, I think the Council has no reason to postpone it.

Secondly, I remember that this matter was the subject of considerable discussion occupying many hours. Now that the Administering Authority has been persuaded to agree to discussion of this report, and has also /persuaded the

persuaded Sir George Sanford to act as special representative for the Trust Territory, the Council members turn around and say that they now postpone the discussion of the report.

Sir Alan BURNS (United Kingdom): I shall not be offended.

The PRESIDENT: It seems that the Council certainly debated in vain when the representative of the Administering Authority previously proposed postponement.

I do not think that the representative of Belgium would be offended, either, but it seems to me that the Visiting Mission's report on Ruanda-Urundi has been subjected to a good deal of discussion at the Council table. Therefore I would like to leave this matter to the Council to decide whether, in the light of my observations, the Council feels inclined to agree with the representative of Mexico in postponing the consideration of the Visiting Mission's report.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): In the light of the explanation that the President has given us in connexion with the possibilities remaining in point of time, I, of course, have no objection to this matter's continuing to be discussed.

My only fear is that if we continue this discussion too long, then we might not have sufficient time to consider the reports in due order.

The PRESIDENT: Then there is no proposal to postpone. The representative of Mexico has withdrawn the proposal to postpone.

Mr. RYCKMANS (Belgium): Perhaps we could examine the petitions first, together with the relevant chapter of the report.

/The PRESIDENT

The PRESIDENT: I think that could be done except that the Secretariat has not prepared a document like the one that was to be used in regard to the Visiting Mission's report on Ruanda-Urundi because it was rejected by the Council.

Sir Alan BURNS (United Kingdom): I am afraid I am not in a position to discuss the petitions today because I do not have my files with me. However, I will be prepared tomorrow.

The PRESIDENT: Are there any observations on the report itself?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): It seems that not all of us are quite prepared to discuss the report on Tanganyika right now, particularly in view of the fact that it was not on the agenda for today.

The delegation of the USSR does have some comments to make but there are also a great many unclarified questions and these questions we would like to ask tomorrow of the representative of the Administering Authority and of the special representative of the Administering Authority.

Perhaps we might proceed as we did in the case of Ruanda-Urundi; that is, first questions, then observations and consideration of the report. Then we would take up petitions.

It seems that if we really approach this matter now in a businesslike spirit we will not waste much time and we will really get to all the facts.

The PRESIDENT: I think the Council will have no objection to following the same procedure: to ask questions of the special representatives for clarification and making general comments.

However, I think it would be wise to take the petitions together in so far as they relate to the general issues raised. That was my first intention with regard to the other Visiting Mission's report, but experience seems to indicate that if we do not take this up in connexion with the relevant chapters of the report, representatives may have to refer to the report again when we come to the petitions. We had such experience with regard to Ruanda-Urundi.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I think that the consideration of ^{the} Ruanda-Urundi petitions has shown that they can be completed very quickly once the report has been discussed. I think today's meeting is a shining demonstration of that fact. I think, therefore, that we should adhere to precedent which has proved to be so satisfactory.

/The PRESIDENT

The PRESIDENT: That was not the case at previous meetings.

I should like to suggest that the Council adopt the suggestion of the representative of Belgium in discussing the petitions in so far as they relate to general matters when the relevant chapters of the report are discussed.

For instance, these petitions ^{might}/state that there is need for educational improvement. When the report on education is discussed, we will consider these petitions. In that way the general debate will not be repetitious and the result, as far as petitions are concerned, will not be affected.

Do you agree Mr. Soldatov?

Mr. SOLDATOV (Union of Soviet Socialist Republics)(Interpretation from Russian): I agree to the procedure which we adopted in the past. I think it has proven itself. We considered the matter at length and we reached a unanimous decision and today's meeting has shown that the decision was a correct one since our work was most effective. Why resume consideration of a matter of procedure and waste three or four hours on that and then spend an hour and a half on the petitions themselves?

Perhaps it would be best if we adhere to the procedure which we agreed upon in the past.

The PRESIDENT: Experience seems to confirm the original procedure proposed by the Chair rather than as modified by the representative of the USSR. It will be recalled that when other petitions were brought up again, representatives had relegated the relevant chapters of the report to the back of their minds and had considerable difficulty in discussing this general question.

In any case, as suggested by the representative of Belgium, I presume that the Council would like the Secretariat to produce a paper similar to the one on Ruanda-Urundi because I found that that was very helpful in the summarization of the contents of the petitions in so far as they affect general problems.

As far as possible, we will discuss those problems in regard to the relevant chapters of the report unless the Council decides otherwise. Without prejudice to the Council's changing its mind, I will ask the Secretariat to prepare such a paper.

Since there is indication that the representatives are not prepared to make observations on the Visiting Mission's report this afternoon, I will adjourn the meeting until tomorrow at 2:30 p.m.

The Drafting Committee will meet, as usual, at 11:00 a.m. tomorrow.

The meeting rose at 5:07 p.m.