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TRUSTEESHIP COUNCIL

Fourth Session

VERBATIM RECORD OF THE FORTY-THIRD MEETING
(Transcription from sound recording)

Lake Success, New York
Tuesday, 22 March 1949, at 2.30 p.m.

President:

Mr. LIU CHIEH

China

The PRESIDENT: I declare open the forty-third meeting of the fourth session of the Trusteeship Council.

We have a fairly crowded agenda for this afternoon, one of the items being a report on the Annual Report of Western Samoa. I understand that the representative of the Administering Authority concerned, Sir Carl Berendsen, will not be able to attend the Council meeting to-morrow, and in as much as this report is of special concern to the representative of New Zealand I would suggest that the Council give prior consideration to that item.

EXAMINATION OF ANNUAL REPORTS:

WESTERN SAMOA, YEAR ENDED 31 MARCH 1948

REPORT OF THE DRAFTING COMMITTEE ON ANNUAL REPORTS

The PRESIDENT:

If there is no objection I would like to begin with the Drafting Committee's report on the Annual Report of Western Samoa.

Sir Carl BERENDSEN (New Zealand): I have so frequently asked and received favours from this Council that I would not, of my own motion, have asked for this additional favour, which I note with appreciation has come from the Chair. But I do want to say that I do very warmly appreciate the consideration which has been extended to me, and I shall be very happy indeed to discuss the subject this afternoon.

The PRESIDENT: There appears to be no objection to our taking the Report on Western Samoa first. We have before us the report submitted by the Drafting Committee. We are aware that the Drafting Committee is, in fact, a committee consisting of all the members of the Council, and that the report has been formulated after very careful and thorough deliberation.

I believe therefore that the draft report will call for comparatively brief debate by the Council, and in order to facilitate the adoption of this report I would like to ask whether there is any proposed amendment to the draft report as submitted by the Drafting Committee.

/ Sir Carl BERENDSEN

Sir Carl BERENDSEN (New Zealand): I fully endorse all that the President has said. This Report has been considered by a Committee of the Whole and there should indeed be few alterations.

May I commence my remarks by expressing my deep appreciation of the attitude of my fellow members of the Council in adjudging this matter? I would venture to suggest three small alterations in this Report, none of which, I think, will be found contentious. In order to save time I shall embark on a very short explanation of them forthwith.

On page 16 of document T/275 I would ask -- for a purpose which I will indicate in a moment -- that the last paragraph on that page and the beginning of page 17 be inserted after the second paragraph -- the paragraph ending with the word "Estates". This is merely a transposition and I ask it for this reason: that as it stands at present the last paragraph (which, I would remind the Council, was the first paragraph in the Special Representative's statement) gives to this legalistic point of view an importance far greater than we would wish to attach to it. I feel that it would run more normally and more naturally if that reference to the legal position came earlier in the discussion and not where it does now. Could I pause and see whether that would meet with the approval of the Council?

The PRESIDENT: I believe the proposed transposition of the paragraphs would not affect the substance of the Report. There being no objection the proposed amendment is accepted.

Sir Carl BERENDSEN (New Zealand): Now I want to turn to page 17 to the reference to the health services made by the representative of the Soviet Union.

May I say that I am not quarrelling with the form that these reports take? I do not myself understand why we have that portion of the Report that relates to observations but if the representatives of the Council want those observations then, of course, I am always ready to sink my own point of view. But it was discovered during the consideration of this matter in the Committee that the list of observations that were at first intended did not include what seems to us to be an essential portion of the procedural observations, namely the observations made by the representative of the Administering Authority. That point having been made, it was willingly agreed by the Committee that such observations should be included.

/On this particular

On this particular matter the representative of the Soviet Union and the members of the Council will remember that after a long philippic by the Soviet Union representative I expressed the opinion -- and I think I expressed the general opinion -- that a great part of what he was stating was nonsense, that the Council knew it was nonsense and that he knew it was nonsense and that it did not seem to me to be worth while to traverse the statements that he made one by one. Now I do not want to go back on that at all -- I still hold those views -- but the fact remains that amongst those statements were these references to the health situation in the Territory and placing those references here in this way with no reference to the matter in the Report itself which dealt with the subject does -- and I suggest this very strongly -- give an entirely false impression. Therefore I ask that we include this point of reference in the Report itself, which is under examination, something to this effect:

"The representative of the Administering Authority stated that although doctors are not trained within the Territory....."

Let me pause for a moment to call attention to that particular point. In the name of common sense and reason how could anybody suggest that doctors should be trained in a little Territory like Western Samoa. The suggestion is fantastic and if there is one thing that the Administration of Samoa is entitled to compliment itself upon it is the degree to which it has trained Samoans to be medical practitioners. I speak of what I know. We have twenty more of them, ten under training now, and they are a most admirable product but they are not trained in some woods. They are trained at a central medical school, established for the purpose, where you can get the clinical cases, where you can get the properly-qualified instructors which are quite beyond the reach of a tiny Territory such as Western Samoa.

Now, may I come back and suggest that we insert here something to this effect:

"The representative of the Administering Authority stated that although doctors were not trained within the Territory the Administration subscribed to the upkeep of the Central Medical School in Suva where at present ten Samoan students were in training as assistant medical officers. Samoan nurses, dressers, dispensers, laboratory assistants, dental officers and assistant health inspectors were trained locally at the hospital in Apia. Midwifery was taught to nurses as part of

/the general training

the general training and each district hospital and dispensary was in part an antenatal clinic. The main clinic at Apia Hospital was in charge of a qualified New Zealand midwife and under the direction of a European medical officer. Much of the work of the district nurses with the women's committees in the villages was in this field."

All of this information was contained in the Annual Report under review. I ask that that or something similar be inserted after the paragraph "Health Services" on page 17.

May I just add ^{one final} point to this? I have so often said to the Council that we are dealing not with smart points, not with dialectical stratagems but what we are dealing with is human beings and a chance word mischosen or the chance omission of a word or a paragraph might lead to irreparable damage. My feeling is that merely to insert the criticism here without a reference to the actual Report on which the criticism is based could create that wrong impression and could, indeed, do considerable harm.

The PRESIDENT: It appears to me that this part of the Report reproduces observations by individual representatives and since one viewpoint is given I believe that the representative of New Zealand is entitled to have his viewpoint inserted at this same paragraph or same section. Is there any objection?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I should like to have one point clarified: the comments suggested by the representative of New Zealand for insertion. Were those comments made during the consideration of the Report to the Council or were they not made? I am asking this question so as to avoid any need of resuming the consideration of the Report of the Administering Authority on Western Samoa. Of course if the Council wishes to resume its consideration of the Report on Western Samoa that is the Council's affair; if, I say, it wishes to resume the consideration of the Report. No such decision has been adopted. If, therefore, these comments of the representative of New Zealand were not made in the course of the discussion on Western Samoa I do not see how we can include these comments in this Report which is supposed to be a Report on those discussions. That is the first difficulty that arises.

/Perhaps the comments

perhaps the comments suggested by the representative of
land, though not made during the discussion of the
by the Council, are included in the Annual Report
itself. In that case, of course, such comments
may be included in Part I. of the present document,
which is supposed to give a picture of the situation in the
Trust Territory now. That is the way in which I look at the
question.

I say that if we resume a consideration of each point
in connexion with the consideration of the Report of the
Administering Authority in Western Samoa, we may run the risk
of losing much time, particularly since we are supposed to be
finished with that. We are supposed to be simply considering
a report drawn up by the Drafting Committee -- a report on the
basis of those discussions.

I wish to have this point clarified before I venture to
submit any proposal.

The PRESIDENT: I am not certain at this stage
whether the views expressed by the representative of New
Zealand were stated during the discussion; but I think the
paragraph he wanted to be inserted arose from information
contained in the Annual Report. And since the observations
in the draft report did not have to be considered as the
conclusion of the Council; and since this paper is still in
draft form, it is for the Council to give the final touch
to the report to be finally submitted to the General Assembly.

Therefore, if the representative of New Zealand proposes
that certain paragraphs be inserted, I believe he is quite in
order.

Mr. SOLDATOV (Union of Soviet Socialist Republics)
(Interpretation from Russian): How is it possible to include
in this report things that were not said at all during the
consideration of this question in the Council, which this
report is supposed to deal with?

How can there be included among observations, comments
that were not observed during the observation or question

/period

period in the Council at all? This would be tantamount to saying that we are reopening a discussion of the Report on Western Samoa, because if the representative of New Zealand starts inserting new observations or observations that were not made in the Council in Part II on Observations -- in particular on page 17 in connexion with the paragraph entitled "Health Services", that is tantamount to saying that he is endeavouring to reopen the discussion of the Administering Authority's report in the Council.

These observations were not made in the Council after the comments of the representative of the Soviet Union who made a speech on the subject in the Council. Therefore the Soviet Union delegation now will have to reserve its right either to submit a rebuttal, if necessary, to the comments of the representative of New Zealand, or to do so tomorrow, after it has had an opportunity of studying any comments of the representative of New Zealand.

We reserve that right quite formally. You cannot put the delegation of the Soviet Union in this position of having made observations in the Council, of having them included in Part II of the report -- as had to be done -- and then seeing the delegation of New Zealand -- which did not deem it fit to make any comments -- have about two months to think up some new comments and to have them included in Part II as our observations.

This is a practice, I think, which would amount to a deplorable precedent. If the Council adopts the procedure according to which we would resume the consideration of the Report of the Administering Authority in Western Samoa, then, I say, the Soviet Union delegation reserves the right to address itself again to the substance of the Report on Western Samoa.

This is the only way in which we can approach the question, parliamentarily speaking.

The PRESIDENT: It seems to me that if the representative of New Zealand introduces new matters which have not come to the attention of the Council, then

/I think,

I think the representative of the Soviet Union has a basis for his objection; but as far as I can see, the proposed insertion or addition is not something new but is part of the Annual Report which has already come to the notice of the Council. And, as I said, the Council is now in the course of drafting its report to the General Assembly and it does not seem to me that any such proposed addition could be precluded.

If the Council does not adopt the proposed addition, that is another matter; but if the Council wishes to allow that, it seems to me not contrary to any procedure or proprieties of the Council in the formulation of a report.

Mr. EOOD (Australia): I think the President is entirely right, and I think that the representative of the Soviet Union is in danger of insisting on far too rigid a procedure in the compilation of this report.

The report, after all, is the report to the General Assembly on the whole range of the discussions in this Council. It is not merely a summary of a particular stage in that discussion. I notice that even the heading of Part II is "Observations made by Individual Members of the Council..." Therefore, if any individual member of the Council at any stage of the consideration of the subject of Western Samoa makes an observation -- at this stage or at an earlier stage -- it can be inserted in the report with the approval and consent of the Council. And if the representative of New Zealand wishes to add an observation of his own at this point, as a member of the Council, it is perfectly open to the Council to have it included. I can see no grounds for disputation on that.

Mr. SAURE (United States of America): I also would like to support the ruling of the President. It seems to me that the proposal of the representative of New Zealand is not -- as suggested by the representative of the Soviet Union -- a review of the consideration of the whole Annual Report.

/I remember

I remember very distinctly -- and I think every member of the Council remembers distinctly -- that when the observations were made at a previous stage by the representative of the Soviet Union, the representative of New Zealand said: "This is all nonsense; the facts are untrue."

Then the Committee, in drafting the report, did insert this statement by the representative of the Soviet Union and the representative of New Zealand now says: "As I said before, this is not true; this is nonsense."

So that the representative of New Zealand, in now proposing an additional paragraph is not introducing new matter. He is introducing again what he said at an earlier stage.

Now I think all of us agree that we want this report to reflect the truth. It is the truth that we are after, unvarnished by other considerations. If we want the truth, it seems to me that we would do ill, at this stage of our proceedings, to bar suggestions previously made in order to make the report more true.

/Naturally it

Naturally, it will be for the Council itself to determine whether the statement proposed by the representative of New Zealand is to be incorporated in the report or not. It seems to me that it would not do for the Council to bar the chance of passing upon that question.

For these reasons, my delegation supports the ruling which the President has made.

Sir Alan BURNS (United Kingdom): I agree with everything that has been said by the representatives of the United States and of Australia, and with the ruling which the President has given.

I would like to call the attention of the Council to the fact that this document before us now is not in its final form; it is a draft which can be amended in this Council. As I understand it, the representative of New Zealand has proposed an amendment for the omission of a certain sentence or two in the report, and I think he is fully entitled to do so. I personally shall vote for it.

It would be quite impossible for ^{the representative of} any Administering Authority to answer in detail the catalogue of criticisms that is always directed against any report emanating from an Administering Authority by the representative of the USSR. It is quite impossible, and if we are going to allow his argument--that because a detailed denial was not given at the time by the representative of New Zealand, therefore the representative of New Zealand is not entitled to rebut a statement which is obviously ridiculous--then it would be quite impossible for us ever to get through our work.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I wish to make one further brief comment, so that the members of the Council may understand exactly the point of view of my delegation. My delegation never objected to the inclusion of comments of, let us say, an Administering Authority to any statement of the USSR delegation. We always took an opportunity, too, to say that every Administering Authority, of course, has the right to reply. When any question is considered, there ought to be a business-like discussion of the matter; there ought to be an exchange of views in the Trusteeship Council. This is natural, and it is also natural that opinions may differ, because opinions usually reflect differing interests. This is perfectly natural.

/But what is happening

But what is happening here is something completely different. It is not that the USSR delegation is in any way afraid of any of the comments ^{which} the Administering Authority, New Zealand, may wish to make.

The USSR delegation objects, not because we do not want this comment to be included in page 17 of document T/275, where a USSR comment is included; it is simply a matter of the orderly conduct of our business.

Let me tell you that in the Drafting Committee a few days ago one of the delegations submitted a four and a half page document, which contained various statements which were not made on the floor of the Trusteeship Council, and that delegation pressed the point that those comments should be included in the report.

The Drafting Committee rejected that request, because those comments were not made during the discussion of the matter in the Council, which the report is supposed to report about. How can you include the matter in the report if the observations were not made in the Council?

The Committee took the position that if we adopt this policy of including in our report some ex parte statements which were not made during the discussion of the matter in the Council, then we will have not a report of the discussions of the Council. It would not be a report on the points of view that were expressed in the Council; it would merely be an incorrect compendium which would not reflect the true course of the discussions.

The representative of Australia says that we have to submit a report to the General Assembly. Of course we do. He also adds that the report has to be a report. Naturally! I quite agree that the report has to be a report, and this report has to reflect what has happened in the Trusteeship Council during the discussion of any item.

The representative of the United States is right when he says that the report has to be correct and truthful; it has to reflect what happened in the Trusteeship Council during the discussion of any item. But, after all, the representative of New Zealand did not make any such statement during the discussion of the report. Why should we now include a statement that was not made by the representative of New Zealand during the discussion of the report? If we do include it, it means that we are re-opening the question of the discussion of the Report of the Administering Authority on Western Samoa. That is what this is tantamount to, and if, of course, we re-open the Report on

Western Samoa

Western Samoa, we would have to have a vote about that, and we have to decide whether we are re-opening hereby the discussion on the Report on Western Samoa.

As regards the statements of the representatives who agree on the inclusion of the statement of the representative of New Zealand in Part II rather than in Part I, if this prevails, I reserve the right in the name of the USSR delegation to submit either this afternoon or tomorrow a rebuttal. In other words, after the paragraph which would comprise the comments of the representative of New Zealand on health services, I would reserve the right to have another paragraph containing my statement on that point, because I shall have to show that our observation is fully based on the material submitted in the report of the Administering Authority itself. That could go on ad infinitum, because tomorrow the representative of New Zealand will say that he does not agree with the rebuttal of the representative of the USSR, and he will wish to submit a re-re-rebuttal.

Would it not be more reasonable not to re-open this completely unnecessary question? If you wish, however, the factual situation that prevails in the Trust Territory may be reflected in Part I of the report on the basis of the material included in the Annual Report, so that we shall not have any unnecessary repetition or any unnecessary debate on paper. This would be the most reasonable way of dealing with the matter.

As regards the intimation that it would behoove the Council to re-open the discussion on the Report of the Administering Authority for Western Samoa, such an intimation, I say, would be impractical and unworkmanlike. We do not have the time for such a re-opened disputation.

The point is that the representative of New Zealand wants to clarify the situation in the Trust Territory -- or as he sees it -- on this item. All right, let us take the report of the Administering Authority and then include any relevant material from that report in Part I of the present document, T/275. That is the place for it, not page 17.

You cannot remake what was done already in the Trusteeship Council. You cannot submit a document which would also include comments made later on as an afterthought half-a-month or a month after the discussion of the matter in the Council. The report is supposed ^{to} report on the discussion in the Council. If such comments were not made during the
/discussion

discussion in the Council, you cannot include them. You cannot include merely some afterthoughts.

I think that this point of view of the USSR delegation now ought to be clear. It is a matter of an orderly conduct of our business. You cannot have any discrimination in this matter.

If the Trusteeship Council decides to include this comment of the representative of New Zealand, of course the USSR delegation will have to reserve its right to include in Part II, right after the comments of the representative of New Zealand, our own rebuttals, and we will be in a position to submit these comments either this afternoon or at tomorrow's meeting of the Council.

The PRESIDENT: May I ask whether the insertion of the information regarding medical service in Part I would meet the situation?

Sir Carl BERENDSEN (New Zealand): No, not entirely. I do not want to be difficult on this matter, and I can quite see the logical point made by the representative of the USSR. He is quite right in saying that I did not, point by point, rebut his lengthy list of defects when they arose, and I explained why. I do not want to reiterate by saying again why. People who are reading this -- and we have got to consider that this is going to be read with the very greatest of interest by the people primarily concerned, the Samoans -- may turn to Part I and say, "Well, we know all about the geographical situation and the historical development of Samoa. Let us see what the Council said and did." And they may never read that particular part -- Part I -- to which the representative of the USSR suggests -- and I am grateful to him -- we might import this matter.

What is it that we are being asked to do? I have said that I do not like this observation business, but I accept it because my colleagues want it. We are being asked to accept this situation, a situation under which the representative of the USSR, or anybody else, can say that 2 plus 2 makes 5, and 5 is a very wicked thing. And then he can say that 3 plus 4 makes 8, and 8 is a wicked thing, and he can go on for an hour -- as he did go on for an hour -- making these statements.

/If he is entitled

If he is entitled to have every one of those printed in the observations, then we are all of us -- every representative of an Administering Authority -- bound to answer each one of those, the two and two, the three and four, the x and x, to infinity. That will certainly spin out the already too lengthy discussions of this Council.

I am not putting in any further arguments. I assure the representative of the USSR that there is not one word of argument, there is not one word that I am asking to be included, that is not printed in black and white in the document in front of us.

I merely ask that, at the same time as we print the comments of the representative of the USSR, we should also print extracts from the report which is under consideration and investigation and criticism.

Mr. GARREAU (France) (Interpretation from French): I acknowledge that I appreciate the logical character of the demonstration undertaken by the representative of the USSR. His logic has ended in a kind of threat or warning that we would have to reconsider the Report on Samoa.

I do not think that that is the consequence at all. In any case, I would still be ready to undertake the reconsideration of all the Reports, and I would take all the time that this would require. I am sure that the representatives of the Council would also be willing to undertake reconsideration of the discussion of all Reports.

I would therefore inform the representative of the USSR that I am ready to undertake the re-examination or reconsideration of all the reports, if that is necessary.

Let us take the procedural situation and the situation of principle, that has been well put by the representative of the USSR. I, myself, would like to return to Part II of our report.

Part II of our report has not only seemed to me to be superfluous, but has also seemed to be harmful, for the reason that ^{it} gives rise to an absurdity, an inconsistency. It includes in the report to the Assembly all the observations, however trivial, that were made in the course of our session. And God knows we have heard some absurdities and trivialities in the course of our debate.

Moreover, I believe, as the representative of the United States has just reminded us, that the representative of New Zealand has in a general way replied to the remarks formulated by the representative of the USSR.

/He stated that

He stated that it was "nonsensical". I hope that the verbatim records took this word down correctly.

In any case each one of us will be able to see inserted after the observations of the representative of the USSR on the Western Samoa. The representative of New Zealand has replied that the statements of the representative of the USSR amounted to something nonsensical. This will be found, I hope, in the report to the Assembly.

A question is going to arise again when we consider the reports on the Cameroons and Togoland. My delegation has submitted a series of proposals for the insertion of paragraphs that are to follow the paragraphs bearing upon the remarks of the representative of the USSR.

As of now the representative of the USSR has stated that such insertions are inadmissible. According to his logic, when we come to the discussion of our reports, I will propose, if the Council does not agree to accept the paragraphs that we are moving to insert, reference to the verbatim records of our discussion, and I will propose indication that at the time of the general discussion I said that I questioned and mistrusted the observations of the representative of the USSR, and condemned them, because they were so unjust and vague that they could not be replied to point by point.

The representative of New Zealand stated recently that the USSR statements were nonsensical. I am going to say the same thing, and I am going to ask for this word "nonsensical" to be appended in reply to every remark formulated by the USSR delegation concerning our report.

If we are to refer, then, to the statements made in the course of the debate, we shall have all this in the verbatim records. We have a means of redress before the General Assembly, and the Assembly will be seized of the general character of our debate.

If we follow the formula suggested by the representative of the USSR, this is the kind of thing that we are going to have: I have not counted the number of lines, but in Part II of the report there is a series of observations that are unrestrained. They are simply statements contrary to reality and contrary to the indications of the report itself. They have remained uncontroverted. They are contrary to the specific pointers furnished by the accredited representative of the Administration responsible. They are based on nothing except the will to criticism, and the will to propagandize in respect of the indigenous population.

/We recognize of course

We recognize, of course, that we cannot prevent a member of the Council from saying any such things, or from making statements that have no other purpose than agitation. That we cannot prevent, nor, if we maintain Part II of the ^{draft}/report, can we prevent these statements from being reproduced at the cost of the United Nations, and then being brought to the notice of the populations interested.

This, I think, is harmful. I repeat that I am ready to move that the whole of Part II of the ^{draft}/report should be deleted. The Assembly will have to know of the activities of the Council and, principally, its recommendations. That is all.

If any member of the General Assembly wishes to refer to the details of the debate, he will have to refer to the verbatim records. Now that the debate has been presented in abridged form, in Part II, I do not think that this summary gives the atmosphere of the debate. This Part is consequently unbalanced and harmful, and I move that it be deleted entirely, and that we keep only Parts I and III.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I should like to make it clear that the delegation of the USSR has no objection, and never had any objection, to any member of the Council rebutting any comments made by the representative of the USSR.

More than that, we have always welcomed any clarification or correction of facts. All members of the Council ought to be well aware of that from experience at the present session.

As regards the comment of the representative of New Zealand, I want to make it clear that his proposal raised a procedural question which may lead us to the situation where we will waste a great deal of time. We ought to clarify this point which is raised at the suggestion of the representative of New Zealand.

We can clarify the issue which he raised by including the matter in Part I, which refers to the factual situation on the basis of the information furnished by the Administering Authority. We can add there any number of lines, which would give the information that the representative of New Zealand wishes to furnish. This is all that I maintained.

I also said that if we now undertake to discuss the way in which our report is to be compiled, that will take a very great amount of time.

/ I suggest that we should

I suggest that we should not resume the consideration of all the Annual Reports, Territory by Territory. This tendency to reopen every question after it has been closed is a deplorable one and it has been shown a number of times. As far as the delegation of the USSR is concerned we do not labour under any such tendency and we should consider it deplorable if the Council resumed all these discussions. The end result may or may not be a good one but any gain which might have resulted would be nullified by the enormous waste of time.

If the representative of New Zealand does not insist on the complete inclusion of his statement in Part II then we might just include it in Part I and close the incident on that point with a view to proceeding to the remainder of this document.

I wish to remind you that the Committee which was composed of twelve members spent a lot of time working on the ^{draft} report on Western Samoa. We spent more time on that report than on any other report because it was our first one. Would it be advisable to lose still more time by repeating that whole discussion in the Trusteeship Council?

The PRESIDENT: May I ask the Chairman of the Drafting Committee whether this particular paragraph involved very lengthy debate in the Drafting Committee?

Mr. LIN (China) (Chairman of the Drafting Committee on Annual Reports): This paragraph did not come up before the Drafting Committee. The Drafting Committee did spend two days discussing the form of the Report and this question came up when the representative of France proposed a series of statements to be inserted in Part II of the draft report on the Cameroons under French Administration.

It was at that time that the Committee decided to let the Trusteeship Council itself decide this question; whether additional material may be included in Part II or not. So far as the Drafting Committee was concerned, it confined itself to preparing observations from the verbatim reports.

The PRESIDENT: I should like to ask whether any insertion, as a footnote on page 17, of the information proposed would meet the point.

Sir Carl BERENDSEN (New Zealand): If that would bring this lengthy debate to an end, then in the interests of peace and harmony I am prepared to accept that but not otherwise.

/The PRESIDENT

The PRESIDENT: Is the representative of the USSR agreeable to the addition of a footnote to page 17?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I am agreeable on condition that the delegation of the USSR will have an opportunity to submit its comments also in the form of a footnote. In that case the delegation of the USSR could accept that.

But before we settle this point, I should like to say that it seems to me that it would be better, both for the Council and for the sake of our future drafting committees, to deal with the matter logically; that is, to submit this information in Part I. This would be indisputable both from the point of view of common sense and from the point of view of procedure. Since this is factual information submitted by the Administering Authority, why not submit it in Part I rather than reopen the whole issue of the way in which we are going to compile Part II of the report and whether we are going to reopen the question of the discussion of the report of the Administering Authority?

I have already pointed out that the representative of New Zealand will now submit his comments in the form of a footnote and the delegation of the USSR will submit its footnote. The representative of New Zealand will then say: "Now I have more comments to include as a footnote to the footnote," and the delegation of the USSR will also have its new footnote to the footnote to the footnote. That will go on ad infinitum.

We have to have some order in our work and we should adhere to it.

Sir Carl BERENDSEN (New Zealand): I now withdraw my consent. The representative of the USSR is quite right in describing the procedure and that nonsense will go on until the Council decides to take hold of the matter itself and take a sensible decision.

The PRESIDENT: I have five representatives on my list as wishing to speak on this matter but the representative of France moved the deletion of Part II in its entirety. Is that a formal motion?

Mr. GARREAU (France) (Interpretation from French): I wanted to ask that the roles be not inverted. I did not move reconsideration of the of the report, it was the representative of the USSR who suggested that. I limited myself to saying that if we decided to reconsider the Annual Reports according to the proposal of the delegation of the USSR, I was ready. But I am not moving the reconsideration of the Report. I do not wish to
/lose another

lose another month in vain discussion. We must not blame the wrong people.

The PRESIDENT: I wish to make sure that you did not move the deletion of the entire Part II. I seem to remember that you did so formally move.

Mr. HOOD (Australia): A point of order. Is it not the case that the whole of the report -- each of its sections and the report as a whole -- has come forward, by way of submission to the Council, for approval. Therefore the Council, if it votes at all on the adoption or suppression of any part of the report, is voting on the submission from the Drafting Committee. I take it that that is the prior matter before the Council.

The PRESIDENT: A deletion is an amendment and therefore the proposal to delete is an amendment to the report.

It seems to me that that has to be determined because if the motion is carried, then the remaining amendment would have nothing to which to be attached.

Sir Alan BURNS (United Kingdom): A point of order. Surely this report has been put before us to vote, and that is the proposal. If anyone wishes to vote against Part II it is a negative vote for that. But the proposal is now that this report should be passed by the Council.

The PRESIDENT: Procedurally, I should have thought that a formal motion to delete is an amendment.

Mr. RYCKMANS (Belgium): It was not a motion to delete but it was advice to the members of the Council to vote against Part II when Part II is put to the vote.

The PRESIDENT: In that case I must have misunderstood the representative of France. However, I did hear him move deletion and I wished to ask. It seems that I can get an answer from every representative except the representative of France.

Mr. RYCKMANS (Belgium): I do not move deletion.

The PRESIDENT: I did not say that you moved deletion.

Mr. RYCKMANS (Belgium): I urged my colleagues to vote against this chapter if we are unable to come to a sensible agreement. I should like to say a few words on this a little later.

/The PRESIDENT:

The PRESIDENT: I wish to clear this point because I certainly heard a motion to delete the whole of Part II.

Mr. GARREAU (France) (Interpretation from French): My proposal does not only envisage the report that we have in hand, it is also a proposal of principle upon the procedure to be followed for the report to the General Assembly.

I believe that, in keeping this Part II and given the general way our reports are prepared, we should be in great difficulty. I have always believed that this part is useless and harmful and I am proved more and more correct. That is why I put the question of principle to the Council.

It is not an amendment to the draft report that has been submitted by the Drafting Committee in connexion with Western Samoa, but it is a vote on the question of principle in respect of the way in which we are to prepare our report to the General Assembly. This vote will apply to all forthcoming reports.

This Part II seems to me to be unjustifiable. It seems to have no reason for existence and no use. It is not only useless but I think it is also harmful. Experience has shown and will show that the greatest difficulties arise from keeping this Part II and from upholding it.

The General Assembly does not need to know the details of our internal discussions. The General Assembly is principally interested in resolutions, recommendations and conclusions that emanate from the Trusteeship Council.

/As far as our debates are

But as far as our debates are concerned and the observations made therein, the General Assembly would want to act like everybody else, as we do. It would refer to the verbatim records of those sessions.

The principal disadvantage of this Part II is, as I have said, that it does not properly and accurately communicate the atmosphere of our sessions and meetings and debates because it is an amalgamation of fragmentary remarks, more or less well condensed. The general replies are not added to the criticisms; emphasis is put on the points, not always on the replies made or vice-versa, but my point is that after every criticism the reply should figure. This is a right of the nations involved.

Thus Part II, by its nature, can hardly be exact. It is necessarily fragmentary. To be correct it would have to be much longer, but, to achieve this accuracy, we would have to include all of the verbatim records.

To summarize, I would say that it is an impossible task to expect the Drafting Committee to draft Part II of the report with any accuracy at all. It is an impossible task, and I think most of my colleagues share my view. It is impossible to do better than the Drafting Committee has done, but the result is necessarily bad.

That is why, with all consistency and logic, I propose to the Council purely and simply to delete Part II of the report. This is a formal proposal of my delegation.

I do not know whether we will get a majority in favour of this deletion, but I would still like to formulate this proposal because it is a question of principle of the highest importance to me. If it is rejected, so much the worse for us, but I hope I have been clear and that the Council will support my deletion of Part II.

The PRESIDENT: Now I understand that there is a formal motion.

Mr. RYCKMANS (Belgium) (Interpretation from French): In examining the suggestion of the representative of New Zealand, we ought to recall two points.

First of all, the representative of New Zealand, when certain comments were made, could not foresee that they would be included bodily in this report. There might be comments which are utterly erroneous. Anybody who reads the record of the discussions and the

Report of the Administering Authority must realize that some allegations here do not correspond to reality. When it is said, for instance, that the Government of New Zealand has done nothing to draw the indigenous population into the economic life of the Territory, anybody who has read the Report will realize that this is not so. It is perfectly useless to dignify such a comment with an answer, but when such a comment is included in the Report to the General Assembly without the framework of the discussion and without the adjunction of the whole of the Report of the Administering Authority on Samoa, then the situation and the impression given change altogether.

What is inadmissible is that the officials working in Samoa and the Samoans themselves should be given the impression that such comments were made without any rebuttal as if such failure to rebut amounted to a concession of the truth of such a comment.

On the contrary, there was no rebuttal because the evidence of the incorrectness of the original comment was such that it was deemed unnecessary to dignify it with an answer. But people who did not listen to the discussion and did not read the records of the discussion cannot realize that, of course, and they just think that the lack of any rebuttal means that the Administering Authority concedes the criticism.

Furthermore, I do not know by what chance, but it is a fact that we have adopted the custom of having the special representatives present only at one phase of our discussion -- or even, I might say, before the regular discussion. The rules say that the special representative of the Territory whose Report is being considered can attend the whole discussion of the Report, except when the conclusions are considered and adopted. But in the discussion of the Annual Reports this year special representatives were present only during one of the phases of the discussion of those Reports. They were there to reply to questions and then they left. When criticisms were made in the form of questions they had the opportunity to reply, but when comments were made after the question phase when the special representative had returned -- and such criticisms and observations were made and they are on the record -- the special representative was not there to reply.

The representative of the Administering Authority, who is a member of the Trusteeship Council, is, of course, in a very difficult position because, after all, he is here in Lake Success as a member of the Council. It is his job as a member of the Council to judge the actions of the Administering Authority on the same footing as all his other colleagues.

/The man

The man who is supposed to defend the Report is the special representative, not the representative of the Administering Authority on the Trusteeship Council. But the special representative was not present the whole time to reply to criticisms.

Under the circumstances it is simply a matter of elementary fair play to permit the representative of New Zealand to have inserted in the Report after certain observations of a member of the Council what he has just told us or what he may say at any moment of the discussion with respect to that comment by a member of the Council.

The representative of the USSR says that under such conditions he reserves the right to make a re-rebuttal, and he contemplates that the representative of New Zealand will deem it fit to make a re-re-rebuttal, and that that would then go on ad infinitum. However, I suggest that that has to end some day.

In all civilized countries it is the defence that has the last word. New Zealand is being indicted or attacked: it is incumbent on the representative of the USSR to make that attack, it is incumbent on the representative of New Zealand to reply. That should be the end of it.

If we cannot reach agreement on a formula of that kind, if the representative of the USSR does not agree to authorizing the representative of New Zealand to insert, after the observations of the representative of the USSR, whatever rebuttal the representative of New Zealand finds fit to insert, then there is just one thing we can do. We will have to vote against the inclusion of Part II in the report altogether, and that is exactly what I propose to do.

I do not think that the representative of France formulated this proposal as it ought to have been formulated. It ought not to have been a motion for the deletion of something that does not exist -- because, after all, it does not so far exist. The drafting committee simply suggests to the Council that the Council adopt the report, in which report there would be a Part I, a Part II and a Part III. When the time comes, I shall ask the President that we vote separately on the adoption or rejection of Part I, on the adoption or rejection of Part II and then on the adoption or rejection of Part III.-- or rather, of each of the resolutions in Part III.

That is the way we ought to proceed. There is no need of a motion for the deletion of anything: there is nothing to delete. There is a suggestion by the drafting committee. We have to vote on

/what

what we are going to accept of that report and what we are going to reject of that report. That is all.

Mr. SAYRE (United States of America): It seems to me very evident that we are bogging down on Part II. I suspect we always will bog down on Part II of every report if Part II retains its present form. I suspect that the Part II idea is unworkable, and I suspect that most of us are now realizing it.

I think my Soviet colleague is right that if we retain Part II and give to one representative a chance in the Council discussions to amend it in part, then there will be an endless succession of amendments offered and this Council will find itself in an impossible position.

Again it seems clear, as has already been suggested, that when we come to write future reports, if the principle of the Council should be maintained that all observations made at an earlier stage are to be automatically written into Part II and no others allowed, it will follow almost as an inevitable consequence that during that examination period every special representative and every representative desiring to attack the report will seek to insert; I might almost say, hundreds of observations so as to get them written into the report.

/The result of it all

The result of it all will be that we will waste endless time here and we will not get the kind of report which will do credit to this Council. We will not get a report reflecting a true description of the situation in the Trust Territory and such observations as will reflect what this Council feels can best be done to correct existing conditions.

For those reasons, I am persuaded that we would do well to end fruitless efforts to retain a Part II of our reports. It would seem to me that the logical report would be in two parts: first, a general part setting forth the existing conditions in the Territory; and second, a part which would constitute the conclusions and recommendations of the Trusteeship Council as agreed to by the Council, together with an appendix if some representative chooses to insert views in an appendix.

Turning for a moment to the procedural situation which we now face, so far as I can understand it, it is this. In this submitted report which Mr. Lin Mou-sheng, the Chairman of the Drafting Committee, submits to the Council, we have what is the equivalent to a resolution. It is for this Council to adopt that report or to reject it, in whole or in part. I should think that vote could be best taken by parts, Part I, Part II and Part III.

I have also heard the resolution made by the French representative. To my mind, that is very far from an amendment. It is not a proposal confined to this Report on Western Samoa at all. It was, if I correctly understood my French colleague, a proposal as to all future reports, much more broad and sweeping than an amendment to the motion for the adoption of this Report on Western Samoa. It seems to me to be a separate resolution. We should vote on it after we have disposed of the first resolution, the resolution concerning Western Samoa.

It would seem to me, therefore, procedurally as though we now have two resolutions proposed, and we should first dispose of the resolution concerning the Report on Western Samoa, voting on that either in the whole or, I would hope, voting on it part by part. After we have disposed of that, there still remains the French resolution, which seems to me in no sense an amendment, but a resolution covering altogether different subject matter, namely, all our future reports.

/Mr. NORIEGA

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I am very sorry that this incident, which has arisen out of a textual point of the New Zealand representative about which trouble has been made by the USSR representative, has carried us into a most complex state of affairs, a state of affairs in which the very policy of the Council is being questioned and revised.

We know very well how the voting goes in the Council. It is 6 to 6, the power remaining in the hands of the Administering Authorities as to approval or disapproval of this part of the Report on Western Samoa and that same part in other reports.

If this is so, why were we, the non-administering powers, invited to the Council? Were we invited here to submit to the guillotine of the votes of the Administering Authorities? I do not think that was the intention; I do not think that should be the system, because we would then be mocking our own work, and the work of the Drafting Committee in which we participated.

I was amongst those who, in Drafting Committee, fought for the maintenance of Part II of the report, that is, the part including observations. This was done on the basis of the fact that, in last year's reports, we had such a Part II. In some reports, for example, those on Ruanda-Urundi and New Guinea, conclusions were included which were adopted unanimously by the Council in a most generous spirit. In a spirit of liberality, the remarks of some representatives were taken note of without nominal mention, but in connexion with the Tanganyika Report, some inclusions of remarks were made with nominal mention. This was the only exception.

My delegation has always had as its purpose to work in the Council with a spirit of cordiality in the most practical and responsible way possible for the fulfilment of its duty in the Council. If the Council will look at Part 2 of this Report, it will note that there is only remark from the Mexican delegation. We consider that these observations have reason for being there, but that, in connexion with the Territory of Western Samoa, we assumed that it was much more important and much more convenient to work on the conclusions and recommendations themselves as such.

One reason why we must maintain Part II of the Report is derived from rule 100 of our rules of procedure where it is stated that the Council must report to the General Assembly on its activities.

/How are we

How are we to report to the General Assembly on our activities if we exclude Part II? In what body of the United Nations, in what committee report or sub-committee report is there not to be found an account of the general agreement reached and of the particular observations of representatives on controversial points?

I can quote hundreds of examples of reports of committees and sub-committees where special observations of representatives are included. I therefore appeal to the representative of France to withdraw his proposal.

As far as the controversial point between the USSR and the New Zealand delegations is concerned, my delegation believes that the report is the property of the Council and that the New Zealand delegation has the full right to include the text it wants to in Part II of the report.

We must not let this become a child's game. We are responsible representatives of governments and we know that this is not going to lead to an ad infinitum series of counter-observations and observations. All we would be doing would be to include the text of New Zealand as New Zealand has proposed it, and that is all.

/Now for the proposal

Now for the proposal of deleting the Part II of all reports, my delegation is energetically opposed to this. We believe that the form in which this matter is being put to a vote is a mockery of the Drafting Committee that has just finished its work, which Drafting Committee has already rejected a proposal of this kind, to delete this out of our report.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I assume that there are some other representatives who have not spoken and I therefore do not insist on speaking now.

Mr. GARREAU (France) (Interpretation from French): First of all I wish to explain again the scope of my proposal.

The representative of Belgium felt that my proposal was incorrectly put, since we have before us only a draft report which has not yet been voted upon or submitted to the vote. Therefore he felt that my proposal came too early.

But I think that I explained that I was submitting my proposal before the consideration of the draft report on Samoa, because if I had done otherwise, then a negative vote would not apply to other reports.

The representative of the United States well understood the scope of my proposal, which I wanted to have put to the vote before the consideration of the Report on Samoa, because this would be a vote on our procedure, on the way in which in the future we would compile our reports to the General Assembly.

Since then, however, I have heard the objections of the representative of Mexico. I ask him to believe that this is by no means a proposal which is assured of the collective support of the representatives of the Administering Authorities. I can assure the representative of Mexico that I did not consult any of my colleagues before submitting my proposal. This proposal is mine and mine only.

On looking at the report before us and bearing in mind the tenor of reports previously submitted to the General Assembly, I believed sincerely that Part II of our report could not possibly be well drawn up for the reasons which I expounded a few minutes ago, which I do not consider it necessary to repeat.

The representative of Mexico feels that if we delete Part II the General Assembly would not be informed sufficiently on our debates.

/ I do not share

I do not share the views of the representative of Mexico on this point because our discussions are summed up in a number of documents. Furthermore, the press gives accounts of our meetings quite frequently, and there are also the verbatim records, which are much more precise and exact than this condensed report which does not even reflect the tenor of our meetings.

If any hope could be entertained of possibly improving Part II and of recasting it in such a way as to make it a faithful mirror of our discussions, then I would have no objection to the maintenance of this Part, but I believe sincerely that we shall never attain this consummation no matter how devoutly it may be wished.

I do not wish to undertake, in connexion with the Samoa business, a lengthy discussion which would be interminable, because observations would give rise to rebuttals, rebuttals to counter-observations, counter-observations to re-rebuttals, etc. etc.

Perhaps the two parties are right. This simply goes to prove that it is impossible to draw up this document in a way that would be satisfactory to everybody. But I plead with the representative of Mexico to believe me that I am not trying to minimize the observations of the Council. It is not for that reason that I want to delete Part II of the Report. It is my desire to have the General Assembly receive an exact, correct document.

Part II, as it appears here -- and I am not attacking the Drafting Committee at all -- is not exact. It does not reflect in any way either the atmosphere or the tenor of our discussions, or the specific points that were made during those discussions.

If you want to keep Part II you have to recast it completely. But how are you going to recast it? Again lengthy discussion on that point. I know that this is a complicated point and I well understand why the representative of Mexico opposes my observations. But I maintain my reasoning which I contend is valid.

I do not, however, wish to buck the desires of all those of my colleagues who do not share my views on Part II. If you will, I will suggest as a compromise, to proceed to the consideration of this report on Samoa, we will see what will happen, we will see what will be the resulting text, and then I shall ask the President to put to the vote my proposal, after we have completed the consideration of this Report on Samoa, which after all will be a touchstone, will be a yardstick which will make it possible for us to judge the situation.

If the President is willing, therefore, I will not withdraw my

/ proposal

proposal but I will ask that the consideration and vote thereon be postponed until we have completed the consideration of this report and have voted upon it -- contrary to what I said before. Therefore, ^{let us} postpone that vote on my proposal.

Mr. HOOD (Australia): I would rather reserve what I was going to say until the procedural aspect has been really clarified. If we are to take the report up in sections I would rather wait until it can be clarified.

The PRESIDENT: I would like to at last take an opportunity to clarify the procedural situation.

We heard a proposed amendment by the representative of New Zealand. Then we heard a formal motion to delete Part II of all the reports. Some representatives believe that was a separate resolution, and the representative of France, who made that formal motion, believes that he made that motion before the Council considers the report on the Western Samoa Report.

As I see it, the motion by the representative of France, although he said that it applies to all other reports, will be applicable to this report which is under immediate consideration.

Now what does that motion amount to? That motion, whether it applies to all reports or to any individual report, would be so drastic as to remove the entire part of the report. If that motion is adopted then there is no point of debating whether to accept the proposed amendment or not. It is a very simple thing. Therefore by all rules of logic that question should be decided first, and according to our rules of procedure any motion to delete any part of a resolution is an amendment. It is for that reason that I said it was an amendment.

It seems to me, therefore, that it would not be profitable ^{able} to vote on the draft report first before we put the formal motion of the representative of France to a vote, the simple reason being that if we adopt Part II of the report in the Western Samoa Report, then the question would again resolve itself, in that the Council decides to retain Part II of the report, at least as far as this particular report is concerned.

It seems to me, therefore, that the ^{motion of the} representative of France, if he still retains it, should be put to the Council first before we discuss Part II of the Western Samoa report.

/ When the Council

When the Council decided to set up a Committee of the Whole as a Drafting Committee it proceeded on the assumption that that Committee, having all the members of the Council represented thereon, would save the Council a lot of time in the discussion on the form and content of the report, but it has transpired that not only the content, but the form of the report has to be debated all over again.

It is regrettable, but I do not see how we can get out of this procedural tangle unless either the representative of France withdraws his motion, or that motion is voted on first.

/ Mr. RYCKMANS

Mr. RYCKMANS (Belgium): With all respects to the Chair, I do not think the procedure could be taken in that form. Suppose you take a vote on the French proposal to delete, and the French proposal is defeated by 6 to 6. It will be decided that the Part II is not deleted. Then when we discuss Part II the representative of New Zealand is going to introduce an amendment. Suppose his amendment is defeated. Then you still have to vote on Part II and Part II will be defeated by 6 to 6. You will have two contradictory results. The motion of the representative of France is not a motion because we have no Part II -- we have nothing. The Committee comes before us with a proposal on which we have to vote. Every part and parcel of that proposal that gets a majority passes and every part of that proposal that does not get a majority does not pass and falls into oblivion without our having to take a vote on suppressing anything.

For the rest I say that I am in full agreement with what the representative of Mexico said just now and I propose to vote, as he said, to insert the proposed New Zealand amendment and to go on with consideration of the Report.

The PRESIDENT: I cannot understand this argument. This report has come up as a whole and, as the representative of the United States rightly said, it is a resolution and I asked whether there were any amendments. I proceeded on the assumption that if there were amendments, if those amendments were accepted, then I would proceed to ask the Council to vote in the usual manner.

Now, if the representative of France's motion is carried then there is no Part II to be put to vote. If it is defeated then Part II is to be put to vote but the Council is still at liberty to reject. That is the correct procedure, I believe. Otherwise I would have to ask the representative of France ^{again} whether he withdraws his proposal. But, as I said, he made his proposal applicable to all reports and since this is one of the Reports under immediate consideration I submit that his proposal is applicable to the present report.

Sir Alan BURNS (United Kingdom): I understand the amendment by the French representative relates not only to the Report that is now before us on our agenda but also to the Cameroons, Togoland and other Reports. Is that in order that a resolution should be passed

/now dealing with matters

now dealing with matters which aren't before the Council?

The PRESIDENT: No, but the representative of France said it though as a matter of principle. But, as I said, this is one of the reports that is covered by his resolution. Therefore that amendment is applicable to the present report. Otherwise I do not see how that resolution can be taken after we have considered this report.

Mr. GARREAU (France) (Interpretation from French): I have already said that in order to meet the observations of the representative of Mexico I was prepared to ask for the postponement of the vote on my proposal. If you want the situation to be clarified I shall withdraw, for the moment, my proposal -- just for the moment -- and let the discussion on the Western Samoa report proceed. We will see what will happen in the discussion and vote on Part II of the report. As it is drawn up now I will vote against it on principle. I will vote against this part because I consider it badly done. I am not attacking or criticizing the Drafting Committee. No Drafting Committee can condense in three or four pages a lengthy discussion and select some observations and leave others aside. It cannot be done; it cannot thus reach a well-thought-out paper. Therefore, on principle and leaving aside any details of this

Part I shall have to vote against this part as a whole. I am advising you of that in advance. But, once all the members of the Council have become aware of the cogency of my observations, once all the members of the Council have become aware of how impossible it is to draft any well-done Part II, then I reserve the right to re-submit my general proposal which, I repeat, has a general scope regarding the procedure of our work. Therefore, for the moment, I withdraw my proposal but I reserve the right to re-submit it to the Council once we have wound up the consideration of the Western Samoan report.

The PRESIDENT: What the representative of France said amounts to this: that he will propose a general resolution to omit Part II of all reports with the exception, for the time being, of the Western Samoa report. I do not agree with that course of procedure but for the present purpose I can consider that motion to be withdrawn. Therefore, there remains only one motion before the Council and

/that is the

that is the proposal by the representative of New Zealand to insert a paragraph on page 17 and I will put that to vote.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): On a point of clarification. I take it that the representative of France has withdrawn his proposal. If the representative of France has not withdrawn his proposal then we will have to discuss it. I simply want to have that point made clear.

The PRESIDENT: That proposal has been withdrawn but there is nothing to prevent the representative of France from bringing it up again either as a general proposition or in regard to any individual report. May I ask the representative of New Zealand to read the proposed insertion again?

Sir Carl BERENDSEN (New Zealand): The Secretariat has my copy. There seems to be some difficulty with the calligraphy which, I hasten to add, is not mine but I shall make bold to read it. These are quotations from the actual Report.

"The representative of the Administering Authority stated that, although doctors were not trained within the Territory, the Administration subscribed to the upkeep of the Central Medical School in Suva where at present ten Samoan students were in training as assistant medical officers. Samoan nurses, dressers, dispensers, laboratory assistants, dental officers and assistant health inspectors were trained locally at the hospital in Apia. Midwifery was taught to nurses as part of the general training and each district hospital and dispensary was in part an ante-natal clinic. The main clinic at Apia Hospital was in charge of a qualified New Zealand midwife and under the direction of a European medical officer. Much of the work of the district nurses with the women's committees in the villages was in this field. All of this information was contained in the Annual Report under review."

Mr. HOOD (Australia): I am sorry but I still think there is need for a certain amount of reservation on the procedural aspect of this. I have not taken part in the general arguments regarding
/the advantage

the advantage or disadvantage of retaining Part II of the report. I have a view about that which I have been reserving until the proper moment and it is not a view in favour of retaining Part II. But, might I ask what the provision would be in the event of the amendment of the New Zealand representative being adopted at this point? To what extent would it tie the hands of those members of the Council who wished, on general grounds, to record disapproval of retaining Part II as a whole? Where do we stand in this respect?

/The PRESIDENT:

The PRESIDENT: It would be a ridiculous situation. The Council is free to vote either way; in other words, the representatives who did not agree with my statement of the procedural situation and still want Part II to be out, would be tantamount to wanting the New Zealand amendment in and wanting the entire amended text out. That is the situation.

Mr. SAYRE (United States of America): I merely want to say much the same thing. I see no reason why one in the position of the representative of Australia should not vote in favour of this amendment if he feels that it would improve Part II; but nevertheless, voting against the incorporation of Part II as a whole and voting that way because when the first vote is taken he is unable to tell whether Part II will be adopted or not. Therefore he wants Part II in the best shape it can be made, even though he would desire Part II to be eliminated.

Mr. GARREAU (France) (Interpretation from French): I have already replied to the objection advanced by the representative of Australia. I said I would vote against Part II, however much improved it may be, because it will never be improved to the point where I can consider it satisfactory and where I can consider it as giving an exact account of the debates of our Council.

Consequently I am ready to vote for the amendment of New Zealand, but the voting of this amendment does not mean that I am satisfied with Part II. I have said that I am going to vote against that. Therefore I do not have difficulty about voting^{at}/any moment because in the final instance I am going to vote against the whole thing as a whole, for the reasons I gave just now.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Before voting, I should like to give you some information of my understanding of what happened in the Drafting Committee when we were discussing Part II.

/When the

When the Drafting Committee took up the question of Part II it was decided that Part II would be compiled by the Secretariat; that in Part II those comments that had been made in the Council, and to whose inclusion in the report no member of the Council objected, would be included.

The Secretariat simply looked up the summary records of the Council and included them in Part II in the form in which it is now ^{being} considered by the Council. The Drafting Committee did not change one word in Part II, because the Drafting Committee did not feel empowered to tamper with Part II. We felt that Part II had to reflect what happened in the Council during the discussion of the Annual Report, therefore we could not tamper with it.

It is natural, therefore, that the observations of representatives in Part II are included in this document in the text given by the Secretariat and the Drafting Committee decided that any member of the Council could submit only modifications which would clarify or point up any thoughts or ideas without, however, modifying the substantive contents of those observations.

As far as I know, not a single representative submitted any amendments to Part II. At any rate, the Soviet Union delegation did not submit any amendments at all. We accepted Part II as compiled by the Secretariat. This is the first point which I should like to make clear for the benefit of the Council.

There is another point I should like to make. It has now been suggested that comments be included in Part II which were not made in the Council. The representative of Belgium took the floor and said that New Zealand ought to have the right to make her comments.

But what is the situation that arises? The representative of Belgium says that if we correctly interpret the meaning of the concept of civilization, then the representative of New Zealand has the right to include his rebuttal.

But may I ask why is the concept of civilization interpreted so as to deprive the delegation of the Soviet Union of the right of rebutting the comments of other /delegations

delegations regarding the observations of the Soviet Union? After all, it was we who made some observations in the Council; now somebody else shows up and, as an afterthought, asks for the inclusion of observations that were not made in the Council. At the same time the Soviet Union delegation is deprived of the right to make any rebuttal.

I should like to draw the attention of the members of the Council to that situation.

In the first place, the Soviet Union delegation submitted no amendments in the Drafting Committee to the text of its observations as compiled by the Secretariat. The delegation of the Soviet Union considers this standpoint to be correct because it felt that Part II had to reflect the proceedings of the Council as they occurred in the Council. It considers it incorrect now to set up a discriminatory rule which would permit other delegations to include in the text of the report in Part II their comments, depriving other delegations -- and the USSR delegation in particular -- of the right to rebut.

I object to that and I reserve the right of the delegation of the Union of Soviet Socialist Republics to make comments for inclusion in Part II after the proposed comments of the representative of New Zealand, and this is a right which is unquestionably enjoyed by my country as a member of the Council.

The PRESIDENT: As far as the Chair is concerned, if the representative of the Soviet Union has a proposed amendment to move, I will put it to the vote.

Mr. RYCKMANS (Belgium) (Interpretation from French): I do not know whether I expressed myself wrongly or whether I expressed myself with lack of clarity, but I never said that in a civilized country New Zealand ought to have the last word. I said that in all penal procedures of civilized countries it was the accused -- the defendant -- who had the last word.

Now, in the present instance, the Soviet Union takes the role of the prosecutor; it is New Zealand which is put in the position of being the defendant and therefore ought to /have the

have the last word; that is all.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): The Soviet Union never became the prosecutor in the Trusteeship Council, and we protest the utilization of such words. There are no prosecutors and no defendants in this Council. There are members of the Trusteeship Council and no one else.

Mr. RYCKMANS (Belgium) (Interpretation from French): Well, let us suppose that the representative of the Soviet Union has been most polite to the representative of New Zealand. Let us put it that way. He has been most polite. He says that according to the observations of New Zealand he has the right to make a reply to those observations, to which the representative of New Zealand would have the right to add new observations.

Now, I think the only thing to say is -- and I think everyone will agree -- that it is well understood that the last word should in any case come back to the representative of New Zealand; let us put it that way. If it were otherwise, I would have to vote against the maintenance of Part II because I do not see any way out of the difficulty.

The PRESIDENT: I think the representative of the Soviet Union is right when he says that there is no such thing as a prosecutor or a defendant in the Trusteeship Council. I cannot stop the representative of Belgium from expressing his feelings if he feels that New Zealand is in the position of a defendant.

Mr. LIN (China) (Chairman of the Drafting Committee): The Drafting Committee spent about two and a half days discussing the form of the report; no proposals were adopted. As Chairman I did offer an interpretation of the spirit of the procedure adopted last year.

Each report is to contain three parts, I said then. Part I would be a factual review of conditions in the

/Trust

Trust Territory; Part II would be observations by individual members of the Council referring to discussions of the Council -- and I did modify this by saying that some observations might be combined with the observations of groups of members, or even observations of the Council as a whole ; Part III would be conclusions and recommendations.

That was agreed to by the members of the Committee.

/The present

The present question is not an amendment proposed by the representative of New Zealand. What is to be put to vote, I think, is whether any members of the Council, representatives of the Administering Authorities or representatives of the non-administering countries; may add new observations to Part II, because the Committee itself did not vote on the individual observations in Part II. It is not necessary for the Council to vote on individual observations in Part II.

It would seem that the question really is whether any member of the Council now may offer additional observations to Part II.

The PRESIDENT: I would not like to put that fundamental principle to the Council to debate again.

As I said, my first reaction was that if the matter comes from the Annual Report, and therefore had already come to the notice of the Council, then it is not a new and fresh matter introduced after the general debate on the report has been concluded. That was my observation and the ground for allowing it to be put to vote.

The matter is entirely in the hands of the Council -- whether they want to add that part to a draft report.

As I said, if the representative of the USSR can find similar matter when wanting to propose an amendment, I will similarly put it to the vote of the Council.

If the proposed amendment of the representative of New Zealand is still in the memory of the representatives on the Council, I will put it to the vote.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I consider that a practice is being established of discrimination unprecedented in the Trusteeship Council -- discrimination with respect to the delegation of the USSR in connexion with the inclusion of our observations in Part II of the reports of the Trusteeship Council to the General Assembly.

This is being done in violation of all the rules of procedure and of all the principles of business-like procedure in the Council.

I draw the attention of the members of the Council to this fact, and I state that the responsibility will bear upon the shoulders of those members of the Council who are thus willing to violate all the procedures of the Council, of the United Nations and of all its organs.

/I want

I want the members of the Council to bear the statement of the representative of the USSR in mind when they vote on this issue, because it is intolerable to introduce rules in the Trusteeship Council which are like square pegs in round holes and which are in violation of elementary rules of common sense and of fairness. Are you going to vote by a majority to include observations which were never made by the representative of New Zealand? You want to include that in Part II; why can you not include them in Part I if this is merely information drawn from the Annual Report?

After all, it is well known that as soon as the representative of the USSR submits any comments, they will be voted down right away. How many reasonable USSR proposals were voted down one after the other in the Trusteeship Council? Why close our eyes to this obvious fact? Why introduce such discriminatory practices? Why violate the rules of procedure and the business-like order of procedure in the Council?

I want to say that the delegation of the Soviet Union is not afraid to defend its rights, but when it is contemplated thus to violate all rules in an unprecedented manner, we deem it necessary to draw the attention of the members of the Council to this fact. We wish to draw attention to this unprecedented violation of the rules of the Council and of the organs of the United Nations.

Mr. GARREAU (France) (Interpretation from French): I would like to say that I agree entirely with the representative of the USSR, His observations are relevant and indeed support the thesis I have been maintaining just now, the thesis which led me to move a resolution in the Council, the purpose of which would be simply to delete Part II of the reports, because this Part II of the reports is and can only be an amalgamation of observations taken at random from the verbatim record, because you do not find all observations that you can find in the verbatim record in this Part II. You get only a part.

It is obvious that in these circumstances if you follow the thesis of the representative of the USSR, all observations have the right to be included in Part II, and it would therefore be logical, as I just said.

The representative of the USSR is indeed logical in this question. I have made observations, and I would believe that all my remarks would have to be included in Part II. But now ~~the~~ criticism -- well founded or /otherwise

otherwise -- made in the Council warrants a reply from the representative of the Administering Authority involved. Then you would have to include that reply, so you would have Part II behaving like an accordion -- forever expanding.

I therefore agree with the representative of the USSR. You can include anything you like in Part II -- whatever you please, everything you want, even absurdities. You can put them there; you can include them, because indeed you have to have an exact reproduction of the debates of the Council in that part.

Therefore I will vote for the inclusion of all the remarks that the representative of the USSR wants to be included in Part II. But then, after that, I am going to vote against Part II, because I think Part II is in effect harmful and useless.

Mr. HOOD (Australia): I know the President may wish to proceed with the vote, but I feel that there is a real misunderstanding in what the representative of the USSR has just said, which, I think, should be pointed out now in case it leads to consequences later.

The representative of the USSR asserted that there had been a violation of a right on his part, that there had been discrimination in favour of other members of the Council in respect to their rights.

But all that the Council is being asked to do by the President is to vote on a proposal by a member of the Council -- a proposal which he has a perfect right to put, but which he has no right, as such, to have inserted without the approval of the Council. Now any member of the Council, including the representative of the USSR, has the same right to make any proposal, but there is no inherent right whatsoever to have his remarks or observations included without the approval of the Council.

I fail to follow the argument that there has been any violation of rights in this case. During the discussion of the report and at this present stage, every member of the Council has a right to say what he wishes, but there is no right whatsoever in the rules of the Council to have what he says included in a report to the General Assembly. That is a matter between the Council and the ^{General} Assembly, and is a matter of the Council carrying out its responsibilities to the ^{General} Assembly.

At that point the individual rights of debate and so on -- which are always recognized in the debates of the Council -- lapse as rights.

/They have

They have no relevance to the present duty of the Council which is to prepare the sort of report to the General Assembly which will be of the greatest possible use to the General Assembly.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian):.. When in the Committee we were discussing the way in which the report was to be compiled, the USSR delegation made it clear that in the compilation of the report it wanted to base itself upon the principle that we should reach the greatest possible unanimity with regard to Parts I, II and III, so as to avoid every such situation as is wont to arise when so-called minority reports are submitted and attached to any reports of United Nations bodies.

The members of the Drafting Committee will well remember a statement to that effect from the representative of the USSR, and the members of the Drafting Committee present here will remember that the work of the USSR delegation in the Drafting Committee was exclusively directed to the avoidance of any such diversions of opinion as might have been conducive to the elaboration of long minority reports. We wanted to avoid that.

The USSR delegation said that even if some of its points were not included, the USSR delegation would still seek to avoid the compilation of any minority report, because, after all, such a minority report would tend to show that the Trusteeship Council was unable to reach agreement on some points.

/Later on

Later on, when we discussed recommendations in the Drafting Committee, the USSR delegation made it clear that unfortunately, in view of these recommendations, it would be compelled to submit a minority report with respect to ^{Part on} the recommendations.

We put it on record that we did not want to include minority reports in extenso with observations and comments. We said that we would confine ourselves to those recommendations that we considered absolutely essential.

When the matter arose in the Council, it appeared to me that some delegations want my delegation, not to support any agreement in this Council, but to be pushed into the position of submitting lengthy and elaborate minority reports. I think this is an incorrect approach, to attempt to compel the USSR delegation to submit lengthy minority reports and records of divergency.

I do not think that it is in the interests of the Council to have such lengthy minority reports included in its documents.

I see that apparently some members of the Council want the USSR delegation to be pushed into the position of submitting lengthy annexes which are usually called minority reports. If this is the wish of the members of the Council, then of course the majority may, in its wisdom, vote this up or down. But I want to put on record the position of the USSR delegation, which, from the beginning of the work of the Trusteeship Council and of the Drafting Committee, made it clear that it wished to adhere to a business-like approach to the consideration of the questions that are in the Council's competence.

We never wished to conduct our deliberations in the Council on the basis of accusations, charges, counter-charges, counter-accusations and rebuttals. Nevertheless, some of the members of the Council have taken an approach which is unjustifiable.

I want the members of this Council to have the situation quite clear in their minds. I want then to realize why, in this question, the USSR delegation considers that Part II ought to be ratified as submitted by the Drafting Committee, and that it is the Council's job now to proceed to consideration of Part III, the substance of recommendations, rather than waste any more time on lengthy procedural wrangles which only delay our work in an unproductive fashion.

/Mr. RYCKMANS

Mr. RYCKMANS (Belgium) (Interpretation from French): I seek in vain to understand where the representative of the USSR finds discrimination against his delegation, in the fact that we are asked to include in the records an observation made by the representative of New Zealand, which he read to us and which we heard.

How is this a discrimination against the USSR delegation? I do not understand. The only conclusion to be drawn from this incident is that if the USSR representative considers that there has been discrimination against him in the attitude of the Council, then all we need do is to suppress all mention by name of individual observations, and to refer to the verbatim records, where you will ^{find} the remarks exactly as they were made.

I think that is the conclusion of this debate. In face of an accusation as difficult to understand as this, that there has been discrimination, there is only one thing to do: that is, to treat everybody in the same way, and not include anyone's remarks in the record, but just to include the recommendations approved in the Council, and leave everything else out. Those who want to know what happened in the Council will have to rely exclusively on the verbatim records.

Sir Alan BURNS (United Kingdom): I do not wish to move the closure, because my experience has been that it inevitably leads to a new debate. But I do think we have spent a great deal of time today. Could we not get on and take the votes, now?

The PRESIDENT: The result of this vote will not constitute a precedent that fresh observations are to be included in the Part concerning observations, without prejudice to whatever decision the Council may take in regard to that Part containing observations.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): If we vote now on each statement in Part II, then the USSR delegation reserves the right to start off with Part I, and to have a vote on all basic provisions of Parts I, II and III, seriatim, after discussion.

I trust that the Council will not refuse this right, because this is the right of every representative on the Council.

/Sir Alan BURNS

Sir Alan BURNS (United Kingdom): I really must protest against the representative of the USSR thinking that he controls this Council. He is always prepared to cooperate as long as everyone agrees with him, but he has threatened us several times today, and I object to being blackmailed.

The PRESIDENT: We will now vote on the New Zealand amendment.

A vote was taken by show of hands.

The amendment was adopted by 11 votes to 1.

The PRESIDENT: I will ask the Council to recess until 5 p.m.

The meeting was suspended at 4.47 p.m., and resumed at 5.11 p.m.

/The PRESIDENT

The PRESIDENT: The meeting will please come to order.

When I called the recess, the representative of the USSR had a point of order to raise and the recess was taken before he had a chance to raise that point of order. I will therefore call on him first.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): At the vote of the proposal submitted by the delegation of New Zealand, rule 57 of the rules of procedure was not complied with. Therefore the delegation of the USSR was unable to study the text which was submitted by the representative of New Zealand. That is why the delegation of the USSR is unable to submit now its comments in connexion with the proposal which, unfortunately, has already been adopted by the Trusteeship Council despite the fact that the Trusteeship Council did not have the proposal before it in written form.

Accordingly, the delegation of the USSR reserves the right to submit its comments on the text submitted by the delegation of New Zealand and to submit these comments to the Trusteeship Council for consideration since the delegation of the USSR feels that it has every right to submit its observations in relation to the comments made by the delegation of New Zealand in Part II of the report of the Trusteeship Council to the General Assembly regarding the annual report of the Administering Authority on Western Samoa.

I assume that the delegation of the USSR will be in a position to submit its observations to the Trusteeship Council's meeting tomorrow.

I have a further comment to submit regarding the fact that a tendency has arisen to disregard the rules and a practice prevalent in organs of the United Nations regarding the compilation of annual reports and regarding the compilation of reports in general. This tendency has become quite strong in the Trusteeship Council.

Accordingly, I wish to draw the attention of the Council to the fact that this is an undesirable tendency. It is a tendency which can only lead to difficulties in the Council's work. In order not to be unfounded I take this opportunity to remind the members of the Council of the way in which other organs of the United Nations decide on this question of reports.

For instance, the Security Council or the Commission on Conventional Armaments: I have before me the report of the Security Council for the period 16 July 1947 through 15 July 1948. I well know how this report of the Security Council was considered at the Council's meetings. I will not take this opportunity of telling about the proceedings of the Security
/Council in

Council in detail, but I wish to draw the attention of the members of this Council to the form of the report of the Security Council which is submitted by that Council to the General Assembly every year. The form of that report has nothing in common with the ideas which seem to become prevalent in this Council.

On one of the pages of the report of the Security Council there is a cross-reference or footnote telling of the observations of the representative of Argentina -- a comment that was not made during the discussion of certain questions in the Security Council.

The representative of Argentina obviously was unable to have his comments included in the very text of the report of the Security Council. He was compelled to submit his comments as an annex or appendix and this observation of the representative of Argentina is included on page 121 of the text before me.

As regards the text itself of the Security Council's report, it fully reflects the way in which questions were considered in the Security Council, the way in which resolutions were submitted, the points of view of delegations, the way in which resolutions were voted upon and the resolutions that ultimately resulted.

In this connexion I wish to state that the practice which seems to be on its way to being established in the Trusteeship Council has nothing in common with the practices of other organs of the United Nations, particularly, the Security Council, the Commission on Conventional Armaments and, I believe, other United Nations organs as well; that is, as far as I am acquainted with the form of reports in other organs of the United Nations.

The PRESIDENT: I should like to observe that the vote last taken was not contrary to rule 57. Rule 57 only states that:

"...The Secretary-General shall, to the extent possible, circulate copies to representatives twenty-four hours in advance..."

and that:

"...the Council may decide to postpone the consideration of resolutions...the copies of which have not been circulated twenty-four hours in advance."

That point was not raised before the vote and therefore the vote was not contrary to rule 57. However, as I have said, if the representative of the USSR can submit any proposal to the Council for consideration, he is free to do so.

/Mr. SOLDATOV

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I am not talking about the twenty-four hours at all. Why does President thus interpret my statement? I simply said that the proposal was not submitted in writing. It was that part of the rule to which I referred. It says specifically in the rule that:

"Reports, resolutions and other substantive motions or amendments shall be introduced in writing and handed to the Secretary-General."

The PRESIDENT: Then I misunderstood the representative of the USSR but in any case he will be free to submit any proposals for the Council's consideration.

As far as the method of work is concerned, I should like to say that this Council is an organ which is free to determine its own rules of procedure or method of work. The examples cited by the representative of the the USSR are useful for reference purposes but as far as this Council is concerned, it has its own reports for last year which may also be cited as examples. This Council is not bound by the decisions or method of work of the other organs of the United Nations.

/Mr. RYCKMANS (Belgium)

Mr. RYCKMANS (Belgium) (Interpretation from French): The Trusteeship Council is not bound by the procedure of other organs of the United Nations, but since the representative of the USSR brought in the Report of the Security Council, I shall take this opportunity of bringing in the Report of the Economic and Social Council.

Just look at the Report of the Economic and Social Council in respect of each of the 37 or 40 items on the agenda of this session. It simply says that the Economic and Social Council adopted the following resolution with regard to Regional Economic Commissions, etc., just listing resolutions one after the other with regard to each item. Then there is a footnote referring to some other documents that might be relevant.

The PRESIDENT: Now we come back to the item on our agenda.

Sir Carl BERENDSEN (New Zealand): I raise my modest and plaintive voice to remind you that I have three points to raise, and I was in some apprehension that the third had become lost in what one might call the shuffle.

The third point, and it is my final point, will I am sure raise no difficulties, even with our colleague from the Soviet Union. I want to refer to page 17 of document T/275 where reference is made to a comment made by the representative of Costa Rica.

I have not got the faintest objection to that comment, it is a perfectly proper comment, though I had understood the representative of Costa Rica to say that in the light of the reply which was made by the special representative of New Zealand, he did not propose to include that particular remark in the text. But I do ask this: that, as it is included in the text, the reply that was actually made by the special representative should similarly be included. I ask for that purpose that we transfer the paragraph headed "Sanitation" on page 9 to follow the reference to "Sanitation" with the comments of the representative of Costa Rica on page 17 with the preliminary words "The special representative said that.." or words to that effect. This would be merely a transference of what the actual reply was from one place to another, and I am sure that cannot irritate my friend from the Soviet Union.

The PRESIDENT: May I ask what is the representative of Costa Rica's reaction to the remarks made by the representative of New Zealand?

/Mr. CORTES

Mr. CORTES (Costa Rica) (Interpretation from Spanish): I have no objection to what the representative of New Zealand says. I think it was Mr. Canas who proposed this particular point. I have no objection to deleting it from the text if that is the desire.

The PRESIDENT: Then the representative of Costa Rica is agreeable to the transposition, or he is willing to delete it.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I understood that the representative of Costa Rica was accepting the transposition of the paragraph which is to be found on page 9 to the end of page 17 of the corresponding Costa Rican text as proposed by New Zealand.

The PRESIDENT: I had been corrected by those who had better hearing than I to say that the representative of Costa Rica wishes to have this part deleted.

Mr. CORTES (Costa Rica) (Interpretation from Spanish): Perhaps the interpretation was incorrect. I intended what the representative of Mexico said, that we put it in page 9.

Sir Carl BERENDSEN (New Zealand): I am extremely grateful for what the Council has done for me.

The PRESIDENT: I would like to raise a point on page 19 "Miscellaneous". It seems to me that this concerns the form of the Report. It is a matter for the Council to revise its form if it so wishes. Is it the kind of information you want to be included in the Report on the conditions of the Territory to the General Assembly? I think it should be deleted because this question has not been brought before the Council. I think we should delete Item 6, "Miscellaneous".

I think the representative of Belgium wishes to bring in the question of the form of the Report which should be a matter for the Council to debate first.

Mr. RYCKMANS (Belgium): I really do not hope that New Zealand on my recommendation, without taking the advice of the Council, is going to change the...

/The PRESIDENT

The PRESIDENT: I think it would be extraneous, and also representative of Costa Rica's remark that it should be more detailed on certain points. I think this is also really a matter for the Council.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): When are we going to discuss Part I of the Report?

The PRESIDENT: I was going to ask the Council whether it wants to...

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): How about Part III?

The PRESIDENT: There being no observation or amendment, I was going to ask the Council whether it was prepared to adopt the Report as it stands with the amendments, or whether it wanted to divide the Report into Parts, Sections or paragraphs.

It seems to me that if there is no further amendment, the Council can adopt the Report as amended.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I have some suggestions as regards Part III of the Report. Therefore, when we get to Part III of the Report I shall request the President to call upon me for that purpose.

The PRESIDENT: In that case I will ask the Council to vote by Parts.

Those in favour of Part I, please raise their hands.

A vote was taken by show of hands

Part I was adopted by 11 votes to none.

Mr. RYCKMANS (Belgium) (Interpretation from French): I want to have it recorded that I voted in favour of Part I, because unfortunately it says in the rules that we have to make a report on the situation in the Territory. I find that to be regrettable because this summary tells exactly nothing. Anybody who wants to find out anything about the situation in the Territory can well look up the documents if he wants to take the trouble.

/However

However, since the rules say that we have to do it, then in a spirit of discipline I was compelled to vote in favour of Part I which I personally consider perfectly useless.

Mr. HOOD (Australia): May I just make a few very short remarks as regards Part II, especially in relation to some observations by the representative of Mexico whose motives in this matter I have great respect for, but who, I think, is inadvertently under a misunderstanding of the position -- at any rate, of myself as a representative of an Administering Authority, and possibly also of the position of other members representing Administering Authorities.

/The representative

The representative of Mexico expressed apprehension on two points. First, this Council was considering reversing an arrangement that had been agreed upon by the Committee appointed by the Council to draft the reports, and secondly, he suggested that, in such a contingency, the Administering Authorities, on a certain assumption regarding the vote, would be applying unduly certain powers of suppression over the views of the other members of the Council.

I would like to go into that point by saying that, from my own point of view, such a division of opinion in the Council in no way enters into the proper conclusions which the Council should reach on the matter.

I refer to the rules of the Council relating to the preparation and submission of reports to the General Assembly. Based on those rules there is, in my opinion, only one responsibility now on the part of the Council. Whatever the Drafting Committee may have decided to do is not, at this point, relevant. I was not able to attend the Committee myself but as I understand the position over the last few weeks, the Committee agreed among itself to do no more as regards Part II and to adopt a summary, already prepared, of a certain phase of the discussion on the Report on Western Samoa.

But that is not necessarily what the Council would be expected to submit to the General Assembly. That is another matter. The Council's only responsibility arises from rule 101 of the rules of procedure. If we read that rule carefully, we find the following wording:

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

That, I presume, is, if the Council desires to take account of that provision, intended to ensure the inclusion in each Annual Report of the very broad and general conclusions of the Council regarding the working of the trusteeship system as a whole. It may be that, in the past and even in the present year, the Council has not entirely carried out that injunction laid upon it by rule 101, but has tended, on the contrary, to concentrate its attention on particular Trust Territories and to reserve its statement of conclusions and recommendations only in respect of particular Trust Territories.

/However, that is

However, that is another point. Leaving that aside for the moment, what does the rule provide as regards particular Trust Territories? It provides for the inclusion in the report of "such suggestions and recommendations concerning each Trust Territory as the Council may decide." The operating part of that provision is the final phrase "as the Council may decide."

I suggest that, in any reasonable interpretation of that provision, the intention of the injunction is that any suggestions or recommendations included in the report to the General Assembly should be, by and large, the suggestions and recommendations of the Council as a whole. That, in my opinion, is the meaning of the words "as the Council may decide."

It is of course open, I recognize this, for the Council to decide not to include its own suggestions or recommendations as such. The Council can decide, presumably, to draw particular attention to specific suggestions and recommendations which might have been made in the course of the discussion. That is feasible but it is not the most reasonable or the most logical course for the Council to take. I do not think, on a careful reading of the rule, that that is the intention of the procedure laid down for the Council.

Therefore, however valuable as individual suggestions and observations the comments included in Part II of the draft report may be -- and I am not in any way criticising its intrinsic qualities -- I do say that, broadly speaking, it is irrelevant for the Council to pass them on to the General Assembly in the form proposed in the draft report.

As far as I am conscious of it, that comment of mine has nothing to do with my position as the representative of an Administering Authority. I speak as a member of the Council, realizing that the Council, as an organ of the United Nations, has a corporate responsibility towards the General Assembly, which the General Assembly in due course will expect the Council to discharge.

On merely practical grounds, I would also question the value in the long run of the submission to the General Assembly of individual comments, certainly at the length in which they are at present expressed in the draft report.

What happens when this report goes to the Fourth Committee? The Fourth Committee is a busy organ of the General Assembly and, in my very brief experience of it, it looks for fairly broad and general conclusions and recommendations from the Council as a whole in the report on each Trust Territory.

/It has not time

It has no time to devote to discussing the individual observations of members of the Council. If it attempted to do so for one reason or another to turn its attention specifically to observations by particular members of the Council, the debates in the Fourth Committee get out of hand, barely related to the real tasks of the Fourth Committee, and out of proportion altogether to the broad perspective of the Fourth Committee's determination of conditions in all Trust Territories.

Those are very briefly the remarks I ask my Mexican colleague to take into account, and perhaps he may see some reason for revising his judgment that this is a case in which the interests of one side of the Council are not necessarily opposite to the interests of the other side. It is not a case like that at all.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I have very little to add to what I have already stated in connexion with this matter. I do not know for what reason the representative of Australia did not also analyze rule 100, in which it is stated that the Council has to report to the General Assembly about its activities.

/It must be clear

It must be clear that if the reports include a chapter on observations, that chapter is intended to cover this part of rule 100. Also we must understand that as a question of principle, given what the membership of the Council is, namely six representatives of Administering Authorities and six representatives of non-Administering Authorities, and given that the voting forms are such that if there is opposition on the part of the Administering Authorities not a single line of what is discussed here can be approved, then it must be understood that the General Assembly has in some way to be informed of what is being dealt with and what has been dealt with in the Council, and what the opinions of the members of the Council have been in this connexion.

This is the reason why we should accept the inclusion of the observations. In the first place because these observations are provided for, are guaranteed, by rule 100 as to their inclusion. And also because as a question of principle, members should be allowed, whether they are Administering or non-Administering representatives, the possibility of putting forward their points of view so that they may come within the scope of the General Assembly.

What would be the result if we kept out this part of our report? Would the six non-Administering Powers have to submit an administering report? And can the Council allow such a thing to happen, and to come to the General Assembly? That would be a delicate situation and entirely out of order.

We have to distinguish between conclusions and recommendations, and between these and observations.

A conclusion is a judgment on a determinate affair.

A recommendation is of a more general kind, because the conclusion has been specific by contrast.

But an observation is still more general.

Now the way in which the Drafting Committee has been working, according to which many of the texts of the conclusions have already been accepted, by virtue of the observations, and also because many conclusions were not included because they were already to be found among the observations, it would happen that if the Council decided to delete Part II of the report, then we would have to report the first ^{part} of the work that had already been carried through - Part I of the report. Because we would have to find out what observations gave rise to the lack of a need for conclusions in Part III.

Therefore it is also for a practical reason as well as for a
/ reason of principle

reason of principle, and also because of the reason that rule 100 provides for this, ^{that} it is the attitude of the Mexican delegation that this part of the report should be maintained.

The PRESIDENT: With the reservation that the representative of the Soviet Union wishes to submit an amendment to Part II, I think the Council may want to indicate whether it is prepared to vote on Part II pending that contingency.

A vote was taken by show of hands.

There was no majority: 6 votes being cast in favour and 6 against.

The PRESIDENT: There is no majority so I must ask the Council to vote again (after a brief recess). The Council is adjourned.

The Council adjourned at 5.45 and reconvened at 5.46.

The PRESIDENT: The Council is resumed.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): It seems to me that we are violating the rules of procedure. There is a proposal of the Drafting Committee before us, which is formulated in Part II, and we are voting upon it. But there might be some ^{that} other proposal; there might be some other way of formulating those facts.

Therefore in the absence of any counter-proposal, then this is adopted. If there is a proposal to delete Part II let that proposal be submitted. Why distort the rules of procedure in such a way as to give an eternal benefit to the representatives of the Administering Powers rather than to the representatives of the non-Administering Powers. This is a violation of the rules of procedure.

Can we carry out such a violation as a rule. There is a draft before us submitted by the Drafting Committee. There is a draft of Part II. It is proposed ~~that~~ we vote upon it. But if there are any counter-proposals, then we should vote upon them. But there are no counter-proposals.

Mr. INGLES (Philippines): I was ^{merely} going to ask for a roll-call vote.

The PRESIDENT: I will ^{take} first the point of procedure raised by the representative of the Soviet Union.

/ I have not before me

I have not before me any proposal to delete Part II. This is a proposal submitted to the Council by the Drafting Committee of the Council. It remains for the Council to adopt it.

I do not see how I could put it in any other way. I can not say that in the absence of any amendment it is adopted. I wish I could do that. I can not do that so I do not know what is the other way of putting it. But I have this to say: that the Council has spent the whole afternoon in trying to get the New Zealand amendment in. When the Chair protested that the Council should decide on the prior question, there were many representatives who spoke against it. We have spent the whole afternoon in getting the amendment of the New Zealand representative in.

If those representatives who argued for the insertion of such amendment had already made up their minds at that time not to vote for the adoption of Part II as it would have been amended by the representative of New Zealand, then I think that there is a lack of good faith if there is no bad faith.

Sir Alan BURNS (United Kingdom): I made it quite clear that I was voting for the New Zealand amendment in case Part II was passed. But I had no intention at any time of voting for Part II.

Mr. SAYRE (United States of America): I would like to say the same thing.

President's

Sir Carl BERENDSEN (New Zealand): If ~~Chair~~/suggestion of bad faith refers to me I repudiate it at once.

Sir Alan BURNS (United Kingdom): I would like to know whose bad faith the President is suggesting. If it is made about me I repudiate it strongly.

The PRESIDENT: I said "if" they had made up their minds. Now I can only presume that they did not make up their minds, and I want another vote.

Mr. GARREAU (France) (Interpretation from French): I warned the Council that I would vote against Part II for the reasons of principle which I outlined.

/ I made it clear

I made it clear that I would vote in favour of the amendment suggested by the representative of New Zealand but that nevertheless I would vote against the adoption of Part II as a whole for the reasons which I outlined to the Council.

I did exactly what I promised to do.

/ As regards the

As regards the consequences of this vote, naturally we will have to discuss the matter again. We will have to take up again a complete discussion on the way in which we can give as much satisfaction as possible to those who -- like the representative of Mexico -- consider that by the simple transmission to the Assembly of observations and comments a certain number of the Council -- as a matter of fact, the representatives of the non-administering powers -- could find themselves deprived of the ways and means of communicating their views to the Assembly. I do not think that this fear is fully justified because, in fact, according to the experience of votes taken last year during the submission of our Report to the General Assembly the members representing Administering Authorities all voted in favour of the inclusion of observations, comments and resolutions which came from those members themselves rather than from members of Administering Authorities. It was the representatives of Administering Authorities who sometimes, with considerable misgivings and lacking assurance about the foundation of the recommendation to be made, it was they who nevertheless made it their business to vote in favour of proposals submitted by the other members. It was the representatives of the Administering Authorities who furnished the necessary votes. It was regularly the representatives of the Administering Authorities, again, who accepted the procedure suggested by representatives of non-administering powers.

It is on that basis of conciliation -- conciliation which for most Administering Authorities amounted to considerable concessions which, I repeat, were accepted only with great misgivings and qualms -- that the Reports submitted to the Assembly with regard to Tanganyika and Ruanda-Urundi, for instance, were transmitted last year. It was only because of the votes furnished by the Administering Authorities. Therefore, in fairness and equity it may be said that in the vote of the Council it has appeared that the opinion of the majority of the members representing non-administering Powers has not been taken into account but nothing like that can be said. It must be said in fairness that their opinions were taken into account; they were taken in^{to} account fully. Therefore no risk is being run of stifling observations, conclusions or recommendations which could not be fully founded. There is no attempt to stifle anything at all. In all the votes that have taken place you have found the expression of a common consensus of a golden mean in this Council and an attempt

/was made to find

was made to find it always.

I have already made it clear, however, in my observations that it is difficult for me to admit that absolutely unfounded observations -- observations which are not endorsed either by the majority or even by any other member of the Council except the one member who made them and the rest of the Council considers them as completely unfounded -- should be officially transmitted to the Assembly with a cloak of legality given by the Council. A Report to the Assembly must be a collective report by virtue of rule 101 which the representative of Australia recalled to us a while ago. The representative of Mexico also referred to rule 100 but rule 101 is based upon rule 100. Rule 100 says:

"The Trusteeship Council shall present annually to the General Assembly a general report on its activities..."

But this does not mean that any personal opinion -- an unfounded opinion -- should necessarily be transmitted to the General Assembly with the tag of the Trusteeship Council. Rule 101 elaborates upon rule 100. In rule 101 you will find nothing which will permit you to believe that a particular opinion must be transmitted to the General Assembly with the tag of a collective report. You will not find anything of that sort in rule 101. That is the way the question arises and that is why I put this question of principle to the Council. I do not believe that the non-transmission to the General Assembly of a summary account of our discussions -- which would necessarily be inexact in the form in which it may be found, for instance, in Part II of this Report -- I do not think that ^{by} the deletion of Part II of the Report/_{the interests of} any member of the Council will be hurt. When justified observations are presented to the Council by any member -- if these observations are justified -- they always are taken into account. It is the Administering Authorities that always made it their business to take such opinions into account and I draw on the example of all the votes that have taken place in this Council for three years without any exceptions.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I do not believe that arguments can be found to justify the fact that half the Council can impose a prohibitive obstacle in the way of the Assembly's knowing the opinion of the other half of the Council. I
/do not believe

do not believe that even by an exaggerated use of ingenuity the representatives who are supporting the idea of suppressing Part II could find any valid argument -- any argument in line with principle or in line with the rules of procedure.

But perhaps the six members who are in favour of keeping Part II cannot prevent this from being a report. Do we not have the right to report, do we not have a right to insist?

Now in Part II, which includes observations, you will find numerous eulogies of the Administering Authorities. Would we in this way be doing a service to the Administering Authorities? This would be deleted too. What about the delegations that omitted these views? It is therefore quite strange that we should be trying to follow this procedure in our Report to the General Assembly.

Furthermore, the Security Council -- the most delicately organized body of the United Nations -- has special rules to meet this kind of difficulty and could therefore be well taken as a model.

We are about to take a second vote on this point. If those who have voted against this point insist on their attitude against Part II what can the attitude of representatives of non-administering Authorities be? In the first place we certainly can request that there be a report emanating from the six non-administering Authorities with inclusion of these points. Then again, if what has been approved and adopted in the Drafting Committee is not adopted here what would happen then? What would happen if then the six non-administering powers decide not to approve Part III of the report? I do not have to insist to the representatives of Administering Authorities what the meaning of their attitude is.

/Mr. BAKR (Iraq):

Mr. BAKR (Iraq): I just wanted to mention what the representative of Mexico mentioned just now, that a comprehensive report should contain the observations of both Administering and non-administering Authorities; and Part II, after all, contains observations of individual delegations. That is a statement of fact, and I think every delegation has the right to register its point of view.

I am afraid that certain delegations believe that a report which does not contain their own point of view and which is not comprehensive would not be considered by them as a full and complete report to be submitted to the General Assembly.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I would like to recall that the Drafting Committee adopted Part II unanimously. If I recall correctly, there were no objections to Part II. There was not even the need of a vote.

As a result, the Drafting Committee is submitting its report, including Part II, to the Council for consideration. Why must we now vote in such a manner that rules of procedure are being exploited to the advantage of the Administering Authorities?

Part II has been submitted to the Council; have there been objections? Has there been any proposal to delete it? Let such a proposal be made and it will be voted upon. There has been no such proposal, however; now there is no such proposal -- therefore Part II remains. That is the way the matter has to be interpreted in view of the fact, particularly, that Part II was adopted unanimously by the Drafting Committee.

Why must we interpret the rules of procedure otherwise? We have no right to do so. Why must we use the rules of procedure as a club to be applied to the proposals unanimously adopted by the Drafting Committee?

Which of the representatives of the Administering Authorities now proposes the deletion of Part II? If there is such a proposal, let us vote upon it. In fact,

/Part II

Part II stays, particularly since it was unanimously adopted by the Drafting Committee -- I stress that it was unanimous. There were no objections in the Drafting Committee, and the Drafting Committee comprises all the members of the Council.

Perhaps the Chairman of the Drafting Committee will correct me if this is incorrect, but I do not recall any objections to Part II in the form in which it is now. Therefore, if there is a question of a vote, then I suggest that we adhere to this procedure which I have outlined.

If there is a proposal to delete, then let us vote upon it; if there is no proposal to delete, then there is no use voting.

The PRESIDENT: If I had been new to this Council I would have taken this inference to be applicable to the Chairman, that is, the manipulation of the rules of procedure in favour of the Administering Authorities.

I do not believe that I have been accused of that thing, but I would like to say again that I do not see how I can declare this draft report adopted in the absence of any amendment to delete.

It seems to me that a draft report has to be adopted and I do not think that the representative of the Soviet Union is quite right when he says that that procedure is a violation of the rules of procedure.

The rules of procedure, which I have been looking at, do not enable the Chairman to declare a motion adopted in the absence of a proposal to delete or otherwise.

On the other hand, I would like to say that according to the records of the Drafting Committee -- and I am not saying that the Drafting Committee's decision binds the Council, but rather that the reverse may be the case, that the Drafting Committee cannot bind the Council -- and I quote:

"The Chairman suggested that the Committee should follow the procedure of the previous year. He considered the Part II should consist of the observations of the Council or of individual members.

"The representative of Belgium thought that Part II should consist of the observations of individual members.

/He moved

He moved that the Committee should adopt the Secretariat working paper, serial numbers as the basis of Part I and Part II respectively of the report on Western Samoa, and that the Committee should request delegations to submit proposals for conclusions and recommendations to be included in Part III." *

I see that the record underlines the words:

"The Committee adopted the Belgian proposal insofar as it concerned Parts I and II." *

There is no evidence that there was anyone in the Drafting Committee who wanted to delete Part II but, as I said, the Council has the final determination to make, and I would uphold the Council's decision. My only chagrin was that I anticipated this result at 3.30 and I wanted to take a vote on it, but we have spent the whole afternoon proceeding on the assumption that involved an overwhelming majority for the adoption of the New Zealand amendment.

That is my only chagrin, and I believe I am entitled to voice that chagrin.

Now the course for us is this. The rules of procedure say that we have taken a vote once already. The alternative course is for us to vote a second time and that settles the matter for ever; and so far as the Chair is concerned, I am quite willing to do that.

But there are several representatives who want to speak on this subject and I do not think we can proceed to a vote immediately; and now that the time is past six o'clock I can only defer it until tomorrow, which is also in accordance with the rules of procedure -- that we can take the vote at the next meeting.

Sir Carl BERENDSEN (New Zealand): I think that what the President has decided to do is the only wise course. I cannot be here tomorrow -- it is not my fault, I am going away on a job for the United Nations. Would it be possible to postpone this quite important matter, on which there is much more to be said than has been said at the moment, until say Thursday, to give us all time to cool down a little and to avoid getting ourselves into a position which we might

/regret at

regret^{at}/a later date? Might I suggest, if that would meet with the President's convenience, that tomorrow the Council proceed with some other matter and resume this matter on Thursday?

The PRESIDENT: I think I might also say that those representatives who do not vote for the incorporation of Part II should not be motivated by the fact that there are observations which are detrimental to the Administering Authorities.

On the contrary. For instance, at random I see under "Political Advancement" the observations in Part II were (let us take the first two paragraphs):

"The representative of the United States felt that the New Zealand Government was to be commended for the passage of the Samoan Amendment Act, ..."

"The representative of China considered the Samoan Amendment Act of 1947 a great step towards self-government and one of the happiest events in the history of the International Trusteeship System."

Now, these cannot be disparaging remarks. Therefore it seems to me that we must not disperse this evening thinking that we have two groups here -- one wanting to denounce the Administering Authorities and therefore the Administering Authorities/^{wanting} to omit that part of the report -- I am just pointing out that we must all have our own judgment on a much sounder basis than to proceed on that assumption.

May I ask representatives to defer their statements until tomorrow?

Mr. GARREAU (France) (Interpretation from French): I shall speak this evening if I may -- I will be as brief as possible.

I should like to explain why the vote of this Council was not the same vote that occurred in the Drafting Committee, why it differed and why it can differ.

/The following

The following fact occurred: the representative of the USSR objected to the amendments that were going to be submitted by New Zealand. He said that if an amendment were submitted, he would submit a second amendment, or a third amendment as necessary, and that in fact the acceptance of the amendment of the representative of New Zealand would lead to a complete reconsideration of the report on Western Samoa.

As I said just now, that implied a kind of coercion from which the representative of the USSR sometime afterwards withdrew.

But the warning was given; the menace suggested. Following that, I stated that I was willing to reconsider all reports that might come up to the Trusteeship Council. We must not let arguments of this kind influence the Trusteeship Council. Otherwise they will continue to be used, so that if a representative wants to intimate an obstruction, the French delegation will always be ready to overcome such an obstruction by taking the member literally.

The fact is that we have all been reconsidering the principle and the substance of Part II. I would repeat and add the following: that Part II can never reflect our discussions accurately, that you do not in it find only critical observations of the non-Administering Authorities, but that you also find other observations in it, and that there are other remarks which should be included in Part II.

As far as I am concerned in the course of the debate on several occasions I have clearly stated that I consider the attitude of the representative of the USSR as entirely partial, and this is very serious. I have stated that I consider this a very grave matter, and this is why I believe I had to make my statement. I think statements of the kind that I have just made should also be included in Part II. This statement is certainly much more important than the partial observations that the representative of the USSR passes on minor subjects.

This is not a question of opposition between the Administering and non-Administering Authorities. That cannot be the question. I think that on many occasions I have drawn the attention of the Council most seriously to the situation that is being created here, and my interest is the good functioning of the Trusteeship Council. I have the best of faith.

This is why you have often seen, with some surprise perhaps, that members who voted in favour of the draft report in the Drafting Committee

/voted

voted against it in the Council. That did not mean that there was bad faith; it meant that in the interval they had reflected by virtue of an intervention of the kind that I have previously been describing. This is the situation, so that before we take up the discussion again tomorrow or some other day, I would appeal to all members of the Council to reflect most seriously upon what I have just said.

Sir Alan EURNS (United Kingdom): I shall be very brief. There are three short points I want to mention. In the first place, the United Kingdom representative on the Committee made it clear that his vote in the Committee did not bind his delegation, and I understand that the President of the Committee agreed with that.

The second point is: the representative of the USSR has protested against the procedure which the ^{President} followed in putting Part II to the vote. The President has followed exactly the same procedure as in Part I, and I have heard no criticism of that procedure.

The third point I wish to make is this: whenever there is a tie in the voting, there are six on one side and six on another, but I cannot understand why the six Administering Authorities, who are on one side, are always regarded as the wicked people and not the six non-Administering Authorities, who are on the other side. It takes two groups of six to make a tie, but I understand from what has been said that it is always the Administering Authorities who are to blame.

Mr. SAYRE (United States of America): I feel a little weary of the constant charges that we have another struggle between the Administering Authorities against the non-Administering Authorities. I think it is time to drop charges of bad faith; I think we may credit each other with honesty and sincerity of purpose.

We have a very real problem here -- a problem of what is the best form of our Annual Reports. It is a very real and a very difficult problem.

We tried the experiment of the Report in three parts at the last session. There is nothing sacrosanct in that. Many of us felt that it was unwise, but we agreed to it. We tried the experiment.

When the matter arose for discussion in the Drafting Committee this year, I understand that there was considerable sentiment against including a Part II report in the Committee. I am told -- although I /was not there

was not there -- that the vote in that Committee was six to six, so that the proposal to delete the Part II report in the Committee, if I am correctly informed, was dropped.

In other words, this is not a new item of discussion.

Now what is the best form of the Report? I confess that when this afternoon the representative of New Zealand asked to correct what he asserted was an evident mis-statement in the Report, it seemed to me that it would follow as a matter of course that he should be allowed to insert in Part II a correction of what he said is a mis-statement. Yet it took us an hour and a half to get that amendment passed allowing him such an insertion.

That has convinced me, for one, that the Part II arrangement, as I said earlier this afternoon, is impractical, will breed discussions ad infinitum, will mean that in future years when we consider reports those who want to have their voices heard will go on inserting observations ad infinitum. And all to what purpose? I cannot believe that Part II of the Report, as it is at present presented, is of great value to anyone.

Some who have spoken have suggested that the Administering Authorities are trying to suppress a free expression of opinion. Nothing of the kind! Rule 64 of our rules of procedure takes care of just that situation. It says:

"A statement of minority views may be appended to a report or recommendation of the Trusteeship Council at the request of any member."

Anyone who seeks to append a statement of minority views under our rules of procedure is free to do so. It is not an effort to suppress a statement, as has already been said by the President.

Many of the paragraphs in Part II are congratulatory rather than condemnatory paragraphs. It is not an effort to suppress. As I said at the outset, it is an effort rather to frame a report in the best form in which it can be framed and also in the most serviceable form. That, many of us honestly and sincerely feel, can be done best by a statement of the prevailing conditions in the Territory and secondary conclusions and recommendations which this Council agrees to.

/If I may add

If I may add one final word, this idea which has been suggested, that the Council is being exploited to the advantage of Administering Authorities because of the situation arising from a six to six vote, is to my mind absolutely false.

We are carrying out the provisions of the Charter. I go back to Article 89, paragraph 2, of the Charter.

The Charter, in setting up the Trusteeship Council, made it clear that unless there was a majority vote -- in other words, unless there was a fairly clear agreement -- the Trusteeship Council should lack the power to impose resolutions or recommendations on Administering Authorities, who are facing an exceedingly difficult task, at best.

The Administering Authorities need the help and support of the Trusteeship Council. They must have it, if they are going to work for the promotion of the inhabitants of the Trust Territory.

What I regret most keenly is that this talk about Administering versus non-Administering Powers, and this talk about Administering Powers exploiting the situation, reduces the Council to a position where it is powerless -- where the Administering Powers, in their very difficult task, are barred from the support of the Trusteeship Council, which they ought to have.

I therefore regret exceedingly this constant talk of the Administering Powers exploiting the non-Administering Powers, or of the non-Administering Powers exploiting the Administering Powers.

I regret this talk of charges of bad faith; so far as my own delegation is concerned, as I think the member of this Council know, we have voted again and again with non-Administering Powers. We have voted with the representative of the USSR when he has proposed something of reason, and supported by the facts. We vote for what we believe to be the truth, in my delegation.

I am ready to credit every other delegation with the same motives. Can we not respect each other's sincerity, and vote as we feel it is right to vote, and in that sincere feeling?

My delegation has believed for some^{time} past that Part II is not a serviceable statement to include in the report, whether it is commendatory or whether it is condemnatory. It is my delegation's feeling that the report is in better form if it is confined to a statement of the conditions, and secondly, a statement of the conclusions and recommendations.

/Therefore my

Therefore my delegation will vote against the inclusion of Part II in the Western Samoa report.

The PRESIDENT: I notice that three representatives, who happen to represent Administering Authorities, have spoken, and I have on my list several other representatives who happen to be non-administering.

May I ask that they do not claim their equal rights this evening, but defer their statements until the next meeting? Does the representative of the Soviet Union wish to speak now?

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): Of course. I want to make this statement now, a fortiori, since the statements of several other representatives contained direct insults flung at the delegation of the USSR.

It would be, in my opinion, incorrect to ignore these observations, and to postpone them until tomorrow or the day after.

The representative of France spoke at considerable length on alleged threats which the representative of the USSR, he said, levelled at the Council. He said that the representative of the USSR wants to act in the Council on the basis of threats, etc. etc.

Of course, if you distort left and right, and throw the facts around, you can get anywhere. You can take the devil and declare that he is Jesus Christ. But that would not be correct, because the devil will not, on the basis of such a statement, be metamorphosed into Jesus Christ.

Why act thus? Although of course I understand that the representative of France takes a great interest in certain things. He has a temperament of which I am well aware. Nevertheless, why allege such things, which are absolutely not in accordance with the facts? Whom is he trying to scare, and why?

He can scare and confuse only those people who make incorrect statements, and no-one else. When the report on Western Samoa was being discussed, what did the representative of the USSR object to?

I objected to the inclusion in the report of statements which were not made during the discussion of the question in the Council, which the report is supposed to be about. I said that if it were decided to include such statements, particularly since such a statement related directly to an observation of the representative of the USSR in the Council, then that would be discrimination against the USSR delegation,

/Since a statement

since a statement of the representative of New Zealand not made in the Council, was being included, without affording the USSR delegation the right to reply.

The position, I think, was perfectly clear, and no threat was involved. The representative of the USSR said that if such a procedure were adopted, then the result would be that if one representative could include observations not made in the Council, another representative could do the same, and that would lead to an endless proliferation of observations.

That is all that I said. Can this be considered as a threat? If this is a threat, then I wonder what would not be a threat.

Furthermore what did the representative of France talk about? He said that the representative of the USSR was biased in his statements to the Council. I wonder what he referred to when he described the statements of the representative of the USSR as not being unbiased.

This question of objectivity or bias may be interpreted, perhaps, by the representative of France, in many ways. I can only assure him that in all its statements and observations the USSR delegation bases itself upon the interests of the indigenous population of the Territories.

If, in one's opinion, this position of the USSR is incorrect, then one has the privilege of adhering to this private interpretation of the position of the USSR. Perhaps this is also one's interpretation of the representative of France, but that again, is one's point of view.

If one dislikes this attitude of the representative of the USSR, which bases itself on the interests of the indigenous population of the Territory, that is one's own affair.

I want it to be noted that the position of the delegation of the USSR is directed towards the fulfilment of the basic purposes of the trusteeship system, and particularly the purposes and objectives of the trusteeship system as set forth in Article 76 of the Charter of the United Nations.

Furthermore, I wish to make one comment concerning the last statement of the representative of the United States, which was quite

/unexpected

unexpected for me.

Perchance the representative of the United States will deem it fit to give some additional clarification on this question, since the delegate of the United States attempted directly to insult the delegation of the USSR by attaching a certain general evaluation to the statements of the USSR delegation.

/Tjc views of

The views of the representative of the United States, regarding various points raised by the delegation of the USSR, differ from ours just as the views of the delegation of the USSR may differ from his regarding proposals advanced by the delegation of the United States. But I do not consider that, in his statement, any member of the Trusteeship Council is entitled to describe the statements of other delegations in terms that are an insult to the other delegation involved.

His statement was couched in insulting terms and since it was so couched I do not wish to dignify it with any further replies. Perhaps this was merely a case of an incorrect expression of what he meant to say but the way in which he said it was merely an insult flung in the face of the delegation of the USSR and in the face of the proposals which the delegation of the USSR points up.

The delegation of the USSR puts forward points, comments and proposals which are based upon its position of principle and its position of principle is based upon the purposes of the Trusteeship System as set forth in the Charter of the United Nations.

Personally speaking -- not as representative of any country -- some representatives on the Council dislike that position. Perhaps such disposition of ours is disliked by some, not personally, but as representatives of countries; in other words, officially or personally. But to use such dislike in order to insult a delegation or any member thereof is a deplorable procedure indeed and it is not susceptible of improving the effectiveness of the work of this Council.

I apologize for having delayed this meeting but I could not fail to reply to the statements which were made with respect to the delegation of the USSR since these statements distorted the position of the delegation of the USSR and included statements and elements that were positive insults thrown in our face.

The PRESIDENT: After the representative of Mexico speaks, the meeting must come to an end.

Mr. NORIEGA (Mexico) (Interpretation from Spanish): I will try to be brief as the meeting has been too lengthy.

In the first place, on behalf of my delegation I wish to state that we accept the postponement of the vote on this matter and that it would be preferable for the vote to be taken at next Thursday's meeting. As plenty of time is thus left to reflect on what has occurred in connexion with this affair and we have even come to suppose that if the question has arisen that some powers are bad and some powers are good, why do we not agree not to use such qualitative descriptions, but try to decide to work as if the Council had two clocks in hand, one clock going fast and the

other clock going rather slow. This is what is happening because we are trying to coordinate the functioning of those two clocks.

In connexion with the work of the drafting committee that drafted this Report, I think that the Council must realize -- especially those members who are interested in doing away with Part II -- that this was a piece of work carried out by a committee on which all members of the Council were represented. We cannot, therefore, suppose, since Part II was tacitly approved, that now the voting procedure can be that which has been suggested at this meeting.

I am not surprised, however, that this has happened because already at our last session we had the experience that a report that had been approved unanimously was objected to by two delegations who tried to make substantive amendments to it -- to that same report which they themselves had approved the day before.

I am surprised by the opinion expressed to the effect that a vote in the committee does not obligate the representatives who voted in that specific way to vote in the same way in the Council. I think that a statement of this kind is an extremely dangerous statement because, otherwise, what basis are you going to use to submit a report to the Trusteeship Council? If the rapporteur of the chairman of a committee is not sure of what has been approved, if those who voted in favour of the report are prepared in the next instance to vote against it, the committee would not in effect have adopted anything. The best thing would be then for the committee to work without approving anything, allowing all decisions to be carried out in the Council, but if in the committees you vote in a certain way and then the delegations are not obligated by that voting, then what is our constitution, what is the juridical system, what is the legal basis for the arrangements reached in committee?

I think we have to reflect about this. We should also think about the point that it is a very serious matter for the future of the Council to have situations of this kind in connexion with such important points as the maintenance of the chapter on "Observations".

The Mexican delegation has always acted in a spirit of conciliation and cooperation here, but for a reason of principle, as we stated when the affair first began, we cannot accept the deletion of this Part of the Report.

/The PRESIDENT

The PRESIDENT: Do I understand that Sir Carl Berendsen moves that the vote be taken on Thursday?

Sir Carl BERENDSEN (New Zealand): No, I would not wish to move that. If the Council in its generosity would decide that way, I would appreciate it, but I would not like to attempt to impose any stopple on the Council dealing with this matter tomorrow if it wishes to do so, but if it deals with it tomorrow, then the vote of New Zealand must be exactly as it was today.

The PRESIDENT: Is there any objection to the proposal that this question be taken up again on Thursday, so that we will have the presence of Sir Carl and the benefit of his judgment? There is no objection and so it will be taken up on Thursday.

Mr. SAYRE (United States of America): I am not going to argue, but I wish to ^{refer to} what my Soviet colleague has said. -- He referred to an insult which I made, I believe. I have no conception of what he means, and I wonder if possibly the translation went wrong. I have been trying to cudgel my brains to understand what he refers to. Possibly his reference was to my remark when I said that the United States delegation would support Soviet proposals when reasonable. My meaning, of course, is when we believe them reasonable -- when my delegation believes them reasonable. I do not know how it was interpreted; I do not know whether that is what he refers to. I was quite unconscious of any insult.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): I listened to Mr. Sayre in English. There was no mistake. This thing therefore cannot possibly be ascribed to the interpretation. I was listening to Mr. Sayre directly, sitting right next to him and not to the interpretation.

Mr. SAYRE (United States of America): May I ask what the representative of the USSR was referring to? I do not want to prolong the meeting, but I am. . .

/The PRESIDENT

The PRESIDENT: If Mr. Soldatov would like to answer that, but the Chair has no authority to force him to reply.

Mr. SOLDATOV (Union of Soviet Socialist Republics) (Interpretation from Russian): The position is perfectly clear and I have no desire to embark any further on this matter which involves a comment insulting to the Soviet delegation regarding the characteristics of our proposals. We do not permit such procedure with respect to any delegation, no matter what our feelings may be regarding such proposals. We adopt decisions and vote on the substance of proposals and we do not venture to describe their qualities.

The PRESIDENT: The meeting is adjourned until 2.30 tomorrow afternoon.

The meeting rose at 6.40 p.m.